E/2008/22
E/C.12/2007/3

# COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

## REPORT ON THE THIRTY-EIGHTH AND THIRTY-NINTH SESSIONS

(30 April-16 May 2007, 5-23 November 2007)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS, 2008

## SUPPLEMENT No. 2

UNITED NATIONS

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## Note

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E/2008/22
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## CONTENTS

| *Chapter* | | *Paragraphs* | *Page* |
|---|---|---|---|
| I. | ORGANIZATIONAL AND OTHER MATTERS | 1 - 17 | 1 |
| | A. States parties to the Covenant | 1 | 1 |
| | B. Sessions and agenda | 2 - 4 | 1 |
| | C. Membership and attendance | 5 - 8 | 1 |
| | D. Pre-sessional working group | 9 - 11 | 3 |
| | E. Organization of work | 12 - 15 | 4 |
| | F. Next sessions | 16 | 5 |
| | G. States parties' reports scheduled for consideration by the Committee at its upcoming sessions | 17 | 5 |
| II. | OVERVIEW OF THE PRESENT WORKING METHODS OF THE COMMITTEE | 18 - 57 | 6 |
| | A. General reporting guidelines | 20 | 6 |
| | B. Examination of States parties' reports | 21 - 33 | 6 |
| | 1. Work of the pre-sessional working group | 21 - 27 | 6 |
| | 2. Consideration of the reports | 28 - 31 | 7 |
| | 3. Comments by States parties on concluding observations | 32 | 8 |
| | 4. Postponement of the consideration of reports | 33 | 8 |
| | C. Follow-up procedure in relation to the consideration of reports | 34 - 37 | 9 |
| | D. Procedure in response to non-submitted and considerably overdue reports | 38 - 39 | 10 |
| | E. Consolidation of reports | 40 | 11 |

## CONTENTS (*continued*)

| *Chapter* | | *Paragraphs* | *Page* |
|---|---|---|---|
| II. (*cont'd*) | F. Action by the Committee with regard to information on economic, social and cultural rights received from sources other than the States parties | 41 - 46 | 11 |
| | 1. Information provided in connection with the consideration by the Committee of a State party report | 41 | 11 |
| | 2. Information received following consideration by the Committee of a State party report and adoption of concluding observations | 42 - 43 | 11 |
| | 3. Information provided with respect to non-reporting States parties | 44 - 46 | 12 |
| | G. Day of general discussion | 47 | 12 |
| | H. Other consultations | 48 - 49 | 13 |
| | I. Participation of non-governmental organizations in the work of the Committee | 50 - 52 | 13 |
| | J. General comments | 53 - 56 | 14 |
| | K. Statements adopted by the Committee | 57 | 15 |
| III. | SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLES 16 AND 17 OF THE COVENANT | 58 - 61 | 16 |
| IV. | CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLES 16 AND 17 OF THE COVENANT | 62 - 559 | 17 |
| | *Thirty-eighth session* | | |
| | Latvia | 66 - 128 | 18 |
| | Hungary | 129 - 187 | 25 |
| | Finland | 188 - 222 | 32 |
| | Nepal | 223 - 275 | 36 |
| | Netherlands (Antilles) | 276 - 321 | 44 |

## CONTENTS (*continued*)

| *Chapter* | | *Paragraphs* | *Page* |
|---|---|---|---|
| IV. (*cont'd*) | *Thirty-ninth session* | | |
| | Belgium | 322 - 364 | 48 |
| | Costa Rica | 365 - 420 | 53 |
| | Paraguay | 421 - 459 | 59 |
| | San Marino | 460 - 494 | 65 |
| | Ukraine | 495 - 557 | 68 |
| | Dissenting opinion on concluding observations | 558 - 559 | 76 |
| V. | SUBSTANTIVE ISSUES ARISING IN THE IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS | 560 - 562 | 77 |
| | A. General comment No. 19 on the right to social security (article 9 of the Covenant) | 560 | 77 |
| | B. Statement by the Committee on Economic, Social and Cultural Rights on an evaluation of the obligation to take steps to the "maximum of available resources" under an optional protocol to the Covenant | 561 | 77 |
| | C. Cooperation with specialized agencies: Seventh meeting of the Joint Expert Group UNESCO (Committee on Conventions and Recommendations)/Economic and Social Council (Committee on Economic, Social and Cultural Rights) on the monitoring of the right to education | 562 | 77 |
| VI. | ADDITIONAL DECISIONS ADOPTED AND MATTERS DISCUSSED BY THE COMMITTEE AT ITS THIRTY-EIGHTH AND THIRTY-NINTH SESSIONS | 563 - 565 | 78 |
| | A. Participation in intersessional meetings | 563 | 78 |
| | B. Future day of general discussion on the right to take part in cultural life (article 15, paragraph 1 (a) of the Covenant) | 564 | 78 |
| | C. Follow-up to the consideration of State party reports | 565 | 78 |

## CONTENTS (*continued*)

*Chapter* *Paragraphs* *Page*

VII. OTHER ACTIVITIES OF THE COMMITTEE IN 2007 .............. 566 - 568 80

A. Meeting with States parties .............. 566 80

B. Regional workshop on follow-up to the concluding observations of the Committee, Bishkek .............. 567 80

C. Workshop on reporting and implementing obligations under the Covenant, Tbilisi .............. 568 81

VIII. ADOPTION OF THE REPORT .............. 569 82

*Annexes*

I. States parties to the Covenant and the status of submission of reports as of 31 December 2007 .............. 83

II. Membership of the Committee on Economic, Social and Cultural Rights .............. 117

III. Agendas of the thirty-eighth and thirty-ninth sessions of the Committee on Economic, Social and Cultural Rights .............. 118

A. Agenda of the thirty-eighth session of the Committee (30 April-16 May 2007) .............. 118

B. Agenda of the thirty-ninth session of the Committee (5-23 November 2007) .............. 119

IV. List of general comments adopted by the Committee on Economic, Social and Cultural Rights .............. 120

V. List of statements adopted by the Committee on Economic, Social and Cultural Rights .............. 122

VI. Days of general discussion held by the Committee on Economic, Social and Cultural Rights.............. 124

VII. General comment No. 19 on the right to social security (article 9 of the Covenant) .............. 126

VIII. An evaluation of the obligation to take steps to the "maximum of available resources" under an optional protocol to the Covenant: statement by the Committee on Economic, Social and Cultural Rights .............. 145

## CONTENTS (*continued*)

*Page*

*Annexes* (*continued*)

IX. Report of the seventh meeting of the Joint Expert Group UNESCO (Committee on Conventions and Recommendations)/ECOSOC (Committee on Economic, Social and Cultural Rights) on the Monitoring of the Right to Education ........ 149

X. A. List of States parties' delegations which participated in the consideration of their respective reports by the Committee on Economic, Social and Cultural Rights at its thirty-eighth session ........ 152

B. List of States parties' delegations which participated in the consideration of their respective reports by the Committee on Economic, Social and Cultural Rights at its thirty-ninth session ........ 157

XI. A. List of documents before the Committee at its thirty-eighth session ........ 162

B. List of documents before the Committee at its thirty-ninth session ........ 166

# CHAPTER I

# Organizational and other matters

## A. States parties to the Covenant

1. As of 24 November 2007, the closing date of the thirty-ninth session of the Committee on Economic, Social and Cultural Rights, with the ratification of the Lao People's Democratic Republic, 157 States were parties to the International Covenant on Economic, Social and Cultural Rights. The Covenant was adopted by the General Assembly in resolution 2200 A (XXI) of 16 December 1966 and opened for signature and ratification in New York on 19 December 1966. It entered into force on 3 January 1976 in accordance with the provisions of its article 27. A list of States parties to the Covenant and the status of submission of their reports are contained in annex I to the present report.

## B. Sessions and agenda

2. The Committee, at its twelfth session, requested the Economic and Social Council to authorize the holding of two annual sessions of the Committee, in May and November-December, each of three weeks' duration, in addition to a pre-sessional working group of five members to meet for five days immediately after each session to prepare the list of issues for consideration at the subsequent session. The Council, in its resolution 1995/39 of 25 July 1995, endorsed the recommendation of the Committee.

3. In 2007, the Committee held its thirty-eighth session from 30 April to 16 May, and its thirty-ninth session from 5 to 23 November. Both sessions were held at the United Nations Office at Geneva. The agenda for each session is shown in annex III to the present report.

4. An account of the Committee's deliberations at its thirty-eighth and thirty-ninth sessions is contained in the relevant summary records (E/C.12/2007/SR.1-29 and E/C.12/2007/SR.31-59, respectively).

## C. Membership and attendance

5. All members of the Committee attended the thirty-eighth session (see list of members, annex II to the present report). All members of the Committee but one (Ms. Maria Virginia Bras Gomes) attended the thirty-ninth session.

6. The following specialized agencies and United Nations organs and departments were invited to be represented by observers at the thirty-eighth and thirty-ninth sessions: DAW, FAO, ILO, IMF, UNAIDS, UNCTAD, UNDP, UNEP, UNESCO, UNFPA, UN-HABITAT, UNHCR, UNICEF, UNIFEM, WHO, WIPO and the World Bank.

7. The following non-governmental organizations (NGOs) in consultative status with the Economic and Social Council were represented by observers:

At the thirty-eighth session:

| | |
|---|---|
| *General consultative status*: | Franciscans International; |
| *Special consultative status*: | Amnesty International, Bischöfliches Hilfswerk MISEREOR (MISEREOR), Asian Indigenous and Tribal Peoples Network (AITPN), Centre on Housing Rights and Evictions (COHRE), European Roma Rights Center (ERRC), Human Rights Watch, International Federation of Human Rights Leagues, International Organization for the Right to Education and Freedom of Education (OIDEL), International Service for Human Rights, Korean Foundation for World Aid (KFWA), Lutheran World Federation, Norwegian Refugee Council (NRC), Women's International League for Peace and Freedom (WILPF); |
| *Roster*: | Foodfirst Information and Action Network (FIAN), Friedrich Ebert Foundation (FES). |

At the thirty-ninth session:

| | |
|---|---|
| *General consultative status*: | Franciscans International, Médecins sans Frontières Belgium; |
| *Special consultative status*: | Amnesty International, Asian Indigenous and Tribal Peoples Network (AITPN), Bischöfliches Hilfswerk MISEREOR (MISEREOR), Centre on Housing Rights and Evictions (COHRE), European Roma Rights Center (ERRC), Human Rights Watch (HRW), Interfaith International, International Commission of Jurists (ICJ), International Federation of Human Rights Leagues, International Federation Terre des Hommes, International Service for Human Rights, Latin American Committee for the Defence of Women's Rights (CLADEM), Norwegian Refugee Council (NRC); |
| *Roster*: | Foodfirst Information and Action Network (FIAN), Friedrich Ebert Foundation (FES). |

8. The following other national and international non-governmental organizations and coalitions of national non-governmental organizations were represented by observers at either or both of the thirty-eighth and thirty-ninth sessions: Association Chrétienne Pour le Secours et la Réintégration (Belgium), Associatión Proyecto Caribe (Costa Rica), BASE-IS Paraguay, Coalition of Belgian Civil Society for Economic, Social and Cultural Rights, Coordinadora de Lideres del Bajo Chaco (Paraguay), FAPE, Federacion Nacional Campesina International Renaissance Foundation (Ukraine), Human Rights Treaty Monitoring Coordination Center (HRTMCC, Nepal), Internal Displacement Monitoring Centre (IDMC), Ligue des droits de

l'Homme (Belgium), Mesa Coordinadora Nacional de Organizaciones Campesinas (Paraguay),Pastoral Social Coronel Oviedo (Paraguay), International Centre for Human Rights and Democratic Development (Rights and Democracy), Social Alert International, 3D Trade Human Rights Equitable Economy (Switzerland), Ukrainian Helsinki Human Rights Union.

## D. Pre-sessional working group

9. The Economic and Social Council, in its resolution 1988/4 of 24 May 1988, authorized the establishment of a pre-sessional working group composed of five members to be appointed by the Chairperson to meet for up to one week prior to each session. By decision 1990/252 of 25 May 1990, the Council authorized the meetings of the working group to be held one to three months prior to a session of the Committee.

10. The Chairperson of the Committee, in consultation with the members of the Bureau, designated the following individuals as members of the pre-sessional working group to meet:

*Prior to the thirty-ninth session*:

Mr. Clément ATANGANA

Ms. Virginia BONOAN-DANDAN

Ms. Maria Virginia BRAS GOMES

Mr. Azzouz KERDOUN

Mr. Álvaro TIRADO MEJÍA

*Prior to the fortieth session*:

Mr. Mohamed ABDEL-MONEIM

Mr. Jaime MARCHAN ROMERO

Mr. Andrzej RZEPLINSKI

Mr. Waleed M. SADI

Mr. Philippe TEXIER

11. The pre-sessional working group held its meetings at the United Nations Office at Geneva from 21 to 25 May and from 26 to 30 November 2007. All designated members of the working group attended the meetings. The working group identified issues that might most usefully be discussed with the representatives of the reporting States and lists of such questions were transmitted to the permanent missions of the States concerned. The pre-sessional working group to precede the forty-first session will hold its meetings on 19 to 23 May 2008, and for the forty-second session on 24 to 28 November 2008.

## E. Organization of work

*Thirty-eighth session*

12. The Committee considered its organization of work at its first meeting on 30 April 2007. In connection with this item, the Committee had before it the following documents:

(*a*) Provisional agenda and draft programme of work for the thirty-eighth session, prepared by the Secretary-General in consultation with the Chairperson of the Committee (E/C.12/38/1);

(*b*) Reports of the Committee on the work of its previous sessions:* first (E/1987/28-E/C.12/1987/5), second (E/1988/14-E/C.12/1988/4), third (E/1989/22-E/C.12/1989/5), fourth (E/1990/23-E/C.12/1990/3 and Corr.1), fifth (E/1991/23-E/C.12/1990/8 and Corr.1), sixth (E/1992/23-E/C.12/1991/4 and Add.1), seventh (E/1993/22-E/C.12/1992/2), eighth and ninth (E/1994/23-E/C.12/1993/19), tenth and eleventh (E/1995/22-E/C.12/1994/20 and Corr.1), twelfth and thirteenth (E/1996/22-E/C.12/1995/18), fourteenth and fifteenth (E/1997/22-E/C.12/1996/6), sixteenth and seventeenth (E/1998/22-E/C.12/1997/10), eighteenth and nineteenth (E/1999/22-E/C.12/1998/26), twentieth and twenty-first (E/2000/22-E/C.12/1999/11 and Corr.1), twenty-second, twenty-third and twenty-fourth (E/2001/22-E/C.12/2000/21), twenty-fifth, twenty-sixth and twenty-seventh (E/2002/22-E/C.12/2001/17), twenty-eighth and twenty-ninth (E/2003/22-E/C.12/2002/13), thirtieth and thirty-first (E/2004/22-E/C.12/2003/14), thirty-second and thirty-third (E/2005/22-E/C.12/2004/9), thirty-fourth and thirty-fifth (E/2006/22-E/C.12/2005/5), and thirty-sixth and thirty-seventh (E/2007/22-E/C.12/2006/11).

13. In accordance with rule 8 of its rules of procedure, the Committee, at the same meeting, considered the provisional agenda and draft programme of work for its thirty-eighth session and approved them, as amended during consideration.

*Thirty-ninth session*

14. The Committee considered its organization of work at its 31st meeting on 5 November 2007. In connection with this item, the Committee had before it the following documents:

(*a*) Provisional agenda and draft programme of work for the thirty-ninth session, prepared by the Secretary-General in consultation with the Chairperson of the Committee (E/C.12/39/1);

(*b*) Reports of the Committee on the work of its previous sessions (see paragraph 12 (b) above).

15. In accordance with rule 8 of its rules of procedure, the Committee, at the same meeting, considered the provisional agenda and draft programme of work for its thirty-ninth session and approved them, as amended during consideration.

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* Published as *Official Records of the Economic and Social Council*.

## F. Next sessions

16. In accordance with the established schedule, the fortieth and forty-first sessions will take place at the United Nations Office at Geneva from 28 April to 16 May 2008 and from 3 to 21 November 2008, respectively.

## G. States parties' reports scheduled for consideration by the Committee at its upcoming sessions

17. In accordance with rule 61, paragraph 2, of the Committee's rules of procedure, the reports submitted by States parties under article 16 of the Covenant are scheduled for consideration in the order in which they have been received by the Secretary-General. The Committee received as at 23 November 2007, closing date of the thirty-seventh session, the following reports, which it decided to consider at its fortieth and forty-first sessions in 2008:

*Fortieth session (28 April to 16 May 2008)*

| | | |
|---|---|---|
| Benin | Fourth | E/C.12/BEN/4 |
| Bolivia | Second | E/C.12/BOL/2 |
| France | Third | E/C.12/FRA/3 |
| India | Second-fifth | E/C.12/IND/5 |

*Forty-first session (3 to 21 November 2008)*

| | | |
|---|---|---|
| Angola | Initial-third | E/C.12/AGO/3 |
| Kenya | Initial | E/C.12/KEN/1 |
| Nicaragua | Second-fourth | E/C.12/NIC/4 |
| Philippines | Second-fourth | E/C.12/PHL/4 |
| Serbia (on Kosovo, document submitted by the United Nations Interim Administration in Kosovo) | Initial | E/C.12/UNK/1 |
| Sweden | Fifth | E/C.12/SWE/5 |

# CHAPTER II

## Overview of the present working methods of the Committee

18. This chapter of the Committee's report aims at providing a concise and up-to-date overview and explanation of the ways in which the Committee carries out its various functions, including information about recent developments in its working methods. It is designed to make the Committee's current practice more transparent and readily accessible so as to assist States parties and others interested in the implementation of the Covenant.

19. Since its first session, in 1987, the Committee has made a concerted effort to devise appropriate working methods that adequately reflect the nature of the tasks with which it has been entrusted. In the course of its 39 sessions it has sought to modify and develop these methods in the light of its experience. These methods will continue to evolve.

### A. General reporting guidelines

20. The Committee attaches major importance to the need to structure the reporting process and the dialogue with each State party's representatives in such a way as to ensure that the issues of principal concern to it are dealt with in a methodical and informative manner. For this purpose, the Committee has adopted detailed reporting guidelines[1] with a view to assisting States in the reporting process and improving the effectiveness of the monitoring system as a whole.

### B. Examination of States parties' reports

#### 1. Work of the pre-sessional working group

21. A pre-sessional working group meets for five days prior to each of the Committee's sessions. It is composed of five members of the Committee nominated by the Chairperson, taking account of the desirability of a balanced geographical distribution and other relevant factors.

22. The principal purpose of the working group is to identify in advance the questions that will constitute the principal focus of the dialogue with the representatives of the reporting States. The aim is to improve the efficiency of the system and to ease the task of States' representatives by facilitating more focused preparations for the discussion.[2]

23. It is generally accepted that the complex nature and diverse range of many of the issues raised in connection with the implementation of the Covenant constitute a strong argument in favour of providing States parties with the possibility of preparing in advance to answer some of the principal questions arising out of their reports. Such an arrangement also enhances the likelihood that the State party will be able to provide precise and detailed information.

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[1] *Official Records of the Economic and Social Council, 1991, Supplement No. 3* (E/1991/23-E/C.12/1990/8), annex IV.

[2] Ibid., *1998, Supplement No. 4* (E/1988/14-E/C.12/1988/4), chap. IV, para. 361.

24. With regard to its own working methods, the working group, in the interests of efficiency, allocates to each of its members initial responsibility for undertaking a detailed review of a specific number of reports and for putting before the working group a preliminary list of issues. The decision as to how the reports should be allocated for this purpose is based in part on the areas of expertise of the member concerned. Each draft by a country rapporteur is then revised and supplemented on the basis of observations by the other working group members and the final version of the list is adopted by the working group as a whole. This procedure applies equally to both initial and periodic reports.

25. In preparation for the pre-sessional working group, the Committee has asked the secretariat to place at the disposal of its members a country analysis as well as all pertinent documents containing information relevant to each of the reports to be examined. For this purpose, the Committee invites all concerned individuals, bodies and non-governmental organizations to submit relevant and appropriate documentation to the secretariat. It has also asked the secretariat to ensure that certain types of information are regularly placed in the country files.

26. The lists of issues drawn up by the working group are given directly to a representative of the State concerned, along with a copy of the Committee's most recent report and with a note stating the following:

> The list is not intended to be exhaustive and it should not be interpreted as limiting or in any other way prejudging the type and range of questions which members of the Committee might wish to ask. However, the Committee believes that the constructive dialogue which it wishes to have with the representatives of the State party is greatly facilitated by making the list available in advance of the Committee's session. In order to improve the dialogue that the Committee seeks, it strongly urges each State party to provide in writing its replies to the list of issues and to do so sufficiently in advance of the session at which its report will be considered to enable the replies to be translated and made available to all members of the Committee.

27. In addition to the task of formulating the lists of issues, the pre-sessional working group is also entrusted with a variety of other tasks designed to facilitate the work of the Committee as a whole. These have included: discussing the most appropriate allocation of time for the consideration of each State report; considering the issue of how best to respond to supplementary reports containing additional information; examining draft general comments; considering how best to structure the day of general discussion; and other relevant matters.

### 2. Consideration of the reports

28. In accordance with the established practice of each of the United Nations human rights treaty monitoring bodies, representatives of the reporting States should be present at the meetings of the Committee when their reports are examined in order to ensure a constructive dialogue with the Committee. The following procedure is generally observed: the representative of the State party is invited to introduce the report by making brief introductory comments and introducing any written replies to the list of issues drawn up by the pre-sessional working group. The Committee then considers the report by clusters of articles (usually articles 1-5, 6-9, 10-12 and 13-15), taking particular account of the replies furnished in response to the list of issues.

The Chairperson will normally invite questions or comments from Committee members in relation to each issue and then invite the State party representatives to reply immediately to questions that do not require further reflection or research. Any remaining questions are taken up at a subsequent meeting or, if necessary, may be the subject of additional information provided to the Committee in writing. Members of the Committee are free to pursue specific issues in the light of the replies thus provided, although the Committee has urged them not to (a) raise issues outside the scope of the Covenant; (b) repeat questions already posed or answered; (c) add unduly to an already long list on a particular issue; or (d) speak for more than five minutes in any one intervention. Representatives of relevant specialized agencies and other international bodies may also be invited to contribute at any stage of the dialogue.

29. The final phase of the Committee's examination of the report consists of the drafting and adoption of its concluding observations. For this purpose, the Committee usually sets aside a brief period in closed session immediately after the conclusion of the dialogue to enable its members to express their preliminary views. The country rapporteur then prepares, with the assistance of the secretariat, a draft set of concluding observations for consideration by the Committee. The agreed structure of the concluding observations is as follows: introduction, positive aspects, factors and difficulties impeding the implementation of the Covenant, principal subjects of concern and suggestions and recommendations. At a later stage, the Committee then discusses the draft, again in private session, with a view to adopting it by consensus.

30. The concluding observations, once formally adopted, are generally made public on the final day of the session. They are forwarded as soon as possible to the State party concerned and included in the Committee's report. If it so wishes, the State party may address any of the Committee's concluding observations in the context of any additional information that it provides to the Committee.

31. In general, the Committee devotes three meetings (of three hours each) to its public examination of States parties' reports. In addition, it generally devotes between two and three hours towards the end of the session, in private, to its discussion of each set of concluding observations.

### 3. Comments by States parties on concluding observations

32. Once the Committee has adopted its concluding observations on the report of a State party, and if the latter submits any comments thereon to the Committee, these are made public, as submitted, as Committee documents and mentioned in the annual report. Comments from States parties are published for information purposes only.

### 4. Postponement of the consideration of reports

33. Last-minute requests by States to postpone the consideration of a report that has been scheduled for examination at a particular session are extremely disruptive for all concerned and have in the past caused major problems for the Committee. Accordingly, the Committee's long-standing policy is not to grant such requests and to proceed with its consideration of all scheduled reports, even in the absence of a representative of the State party concerned.

## C. Follow-up procedure in relation to the consideration of reports

34. At its twenty-first session,[3] the Committee decided that:

(*a*) In all concluding observations, the Committee would request the State party to inform the Committee, in its next periodic report, about steps taken to implement the recommendations in the concluding observations;

(*b*) Where appropriate, the Committee may, in its concluding observations, make a specific request to a State party to provide more information or statistical data at a time prior to the date that the next periodic report is due to be submitted;

(*c*) Where appropriate, the Committee may, in its concluding observations, ask the State party to respond to any pressing specific issue identified in the concluding observations prior to the date that the next report is due to be submitted;

(*d*) Any information provided in accordance with (*b*) and (*c*) above would be considered by the next meeting of the Committee's pre-sessional working group;

(*e*) In general, the working group could recommend that the Committee take one of the following measures:

(i) That the Committee take note of such information;

(ii) That the Committee adopt specific additional concluding observations in response to that information;

(iii) That the matter be pursued through a request for further information; or

(iv) That the Chairperson of the Committee be authorized to inform the State party, in advance of the next session, that the Committee would take up the issue at its next session and that, for that purpose, the participation of a representative of the State party in the work of the Committee would be welcome;

(*f*) If the information requested in accordance with (*b*) and (*c*) above is not provided by the specified date, or is patently unsatisfactory, the Chairperson, in consultation with the members of the Bureau, could be authorized to follow up the matter with the State party.

35. In situations in which the Committee considers that it is unable to obtain the information it requires on the basis of the above-mentioned procedures, it may decide to adopt a different approach. In particular, the Committee may request that the State party concerned accept a visit from one or two members of the Committee. The purposes of such an on-site visit would be: (*a*) to collect the information necessary for the Committee to continue its constructive dialogue with the State party and to enable it to carry out its functions in relation to the Covenant; and (*b*) to provide a more comprehensive basis upon which the Committee might exercise its functions in relation to articles 22 and 23 of the Covenant concerning technical assistance and

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[3] On 1 December 1999 (53rd meeting).

advisory services. The Committee would state specifically the issue(s) with respect to which its representative(s) would seek to gather information from all available sources. The representative(s) would also have the task of considering whether the programme of advisory services administered by the Office of the United Nations High Commissioner for Human Rights could be of assistance in connection with the specific issue at hand.

36. At the conclusion of the visit, the representative(s) would report to the Committee. In the light of the report presented by its representative(s), the Committee would then formulate its own conclusions. Those conclusions would relate to the full range of functions carried out by the Committee, including those relating to technical assistance and advisory services, to be provided by the Office of the High Commissioner.

37. This procedure has already been applied in relation to two States parties and the Committee considers the experience to have been a very positive one in both instances. In a case where the State party concerned does not accept the proposed mission, the Committee will consider making whatever recommendations might be appropriate to the Economic and Social Council.

### D. Procedure in response to non-submitted and considerably overdue reports

38. The Committee believes that a situation of persistent non-reporting by States parties undermines one of the foundations of the Covenant.

39. Accordingly, the Committee resolved at its sixth session to begin in due course to consider the situation concerning the implementation of the Covenant in respect of each State party whose reports are very significantly overdue. At its seventh session it resolved to begin scheduling consideration of such reports at its future sessions and to notify the States parties concerned. At its thirty-sixth session, the Committee adopted the following procedure:

(*a*) To review three lists of States parties whose reports are overdue:

- (i) States parties with reports that were due within the past 8 years;
- (ii) States parties with reports that were due from 8 to 12 years ago;
- (iii) States parties with reports that were due more than 12 years ago.

(*b*) To send reminders to States parties as follows:

- (i) The first letter will be sent to all States parties about the dates on which their reports are due; those with overdue reports will be reminded of and requested to submit those reports as soon as possible;
- (ii) A second letter will be sent to States parties with the most outstanding and overdue reports that do not respond to the reminder, informing them that the Committee plans to consider the overdue report(s) at a specific session in the future, and requesting that those reports be submitted in sufficient time to allow a constructive dialogue to take place;

(iii) A third letter will be sent if no response is received to the second letter, confirming that the Committee will proceed to review the implementation of the Covenant in the State party at the session communicated in the earlier letter in light of all available information;

(*c*) In situations where the State party concerned indicates that a report will be provided to the Committee and upon a request from the State party, the Chairperson may decide to defer consideration of implementation of the Covenant in the State party for one session.

## E. Consolidation of reports

40. At its 55th meeting, held on 22 November 2006 (thirty-seventh session), the Committee reviewed the situation of overdue reports, including recent submissions of several long overdue reports, and decided as follows:

(*a*) The Committee will accept from States parties that have never submitted a report under the Covenant, a one-time submission of up to three reports consolidated in a single document, in order to bring them up to date with their reporting obligations;

(*b*) A consolidated report should contain a general overview of important developments in relation to the implementation of the Covenant over the entire period covered by the reports submitted and present detailed information on the present situation.

## F. Action by the Committee with regard to information on economic, social and cultural rights received from sources other than the States parties

### 1. Information provided in connection with the consideration by the Committee of a State party report

41. The Committee also takes into account the information provided to it by sources other than the State party in connection with its consideration of a State party's report. That information, being an integral part of the Committee's constructive dialogue with a State party, is made available by the secretariat to the State party concerned in advance of the Committee's consideration of the report of that State party (see paragraphs 52-54 below).

### 2. Information received following consideration by the Committee of a State party report and adoption of concluding observations

42. On various occasions in the past, the Committee has received information, mainly from non-governmental organizations, after consideration of the State party's report and adoption of concluding observations thereon. In fact this was follow-up information on the Committee's conclusions and recommendations. Not being in a position to consider and act upon such information without reopening its dialogue with a State party (except in cases specifically addressed in concluding observations), the Committee will consider and act upon the information received from sources other than a State party only in cases where such information has been specifically requested in its concluding observations.

43. The Committee considers that, following its consideration of the State party report and adoption of concluding observations, the primary responsibility for their implementation lies with the national Government, which is bound to report on measures taken in this respect to the Committee in its next periodic report. Therefore, the Committee recommends that information referred to in the preceding paragraph be submitted by authors directly to national competent authorities with a view to assisting them in implementing the Committee's concluding observations.

### 3. Information provided with respect to non-reporting States parties

44. The Committee has also been receiving information from international and national non-governmental organizations on the status of the implementation of economic, social and cultural rights by:

(*a*) States parties that have not submitted any report at all since ratification of the International Covenant on Economic, Social and Cultural Rights and its entry into force;

(*b*) States parties with long overdue periodic reports.

45. In both cases the States parties' failure to comply with their obligations under the Covenant, and in particular with their reporting obligations, had made it impossible for the Committee to monitor effectively the implementation by those States of the economic, social and cultural rights set forth in the Covenant in accordance with the mandate conferred on the Committee by the Economic and Social Council.

46. At its thirtieth session in 2003, the Committee, in a spirit of open and constructive dialogue with States parties, decided that in both cases referred to above, it might take the following action on a case-by-case basis:

(*a*) The Committee might informally bring to the attention of the State party concerned the information received and urge the State party to submit its overdue report without further delay;

(*b*) The Committee might formally - through a letter from the Chairperson - bring to the attention of the State party concerned the information received and urge the State party to submit its overdue report without further delay. The Committee might formally request the State party to provide it with information addressing issues raised in the submissions of non-governmental organizations and to submit its overdue report without further delay. That letter would also be made available to the non-governmental organizations concerned upon request.

## G. Day of general discussion

47. At each session, the Committee devotes one day, usually the Monday of the third week, to a general discussion of a particular right or of a particular aspect of the Covenant. The purpose is threefold: such a general discussion assists the Committee in developing in greater depth its understanding of the relevant issues; it enables the Committee to encourage inputs into its work from all interested parties; and helps the Committee to lay the basis for a future general comment. The issues that have been the focus of discussions held to date by the Committee may be found in annex VI to the present report.

## H. Other consultations

48. The Committee has sought to coordinate its work with that of other bodies to the greatest extent possible and to draw as widely as it can on available expertise in the fields of its competence. The Committee has also sought to draw on the expertise of the relevant specialized agencies and United Nations bodies, both in its work as a whole and, more particularly, in the context of its general discussions. It has also consistently invited individuals such as special rapporteurs of the Commission on Human Rights and of the Sub-Commission on the Promotion and Protection of Human Rights, chairpersons of Commission working groups and others to address it and engage in discussions.

49. In addition, the Committee has invited a variety of experts who have a particular interest in, and knowledge of, some of the issues under review to contribute to its discussions. These contributions have added to its understanding of some aspects of the questions arising under the Covenant.

## I. Participation of non-governmental organizations in the work of the Committee

50. In order to ensure that the Committee is as well informed as possible, it provides opportunities for non-governmental organizations to submit relevant information to it.[4] They may do this in writing at any time prior to the consideration of a given State party's report. The Committee's pre-sessional working group is also open to the submission of information in person or in writing from any non-governmental organization, provided that it relates to matters on the agenda of the working group. In addition, the Committee sets aside part of the first afternoon at each of its sessions to enable representatives of non-governmental organizations to provide oral information. Such information should: (a) focus specifically on the provisions of the International Covenant on Economic, Social and Cultural Rights; (b) be of direct relevance to matters under consideration by the Committee; (c) be credible; (d) not be abusive. The relevant meeting is open and provided with interpretation and press services, but is not covered by summary records.

51. The Committee has requested the secretariat to ensure that written information formally submitted to it by non-governmental organizations in relation to the consideration of a specific State party report is made available as soon as possible to the representatives of the State party concerned. Prior to a session, this is normally done through posting on the website of the Office of the High Commissioner for Human Rights, and direct delivery to the representatives of the concerned State party during the dialogue. The Committee therefore assumes that if any of this information is referred to during the dialogue with the State party, the latter will already be aware of the information.

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[4] *Official Records of the Economic and Social Council, 2001, Supplement No. 2* (E/2001/22-E/C.12/2000/21), annex V: "Non-governmental organization participation in the activities of the Committee on Economic, Social and Cultural Rights".

52. In an effort to secure the most effective and widest possible participation of non-governmental organizations in its activities, the Committee adopted, at its twenty-fourth session in 2000, a document that explains the modalities of their participation in the Committee's work and provides detailed guidelines for non-governmental organizations with a view to facilitating their cooperation with the Committee.[5]

## J. General comments

53. In response to an invitation addressed to it by the Economic and Social Council, the Committee decided to begin, as from its third session, the preparation of general comments based on the various articles and provisions of the Covenant, in particular with a view to assisting the States parties in fulfilling their obligations under the Covenant. As of 24 November 2006, the Committee had adopted 18 general comments (see annex IV to the present report).

54. By the end of its thirty-ninth session (23 November 2007), the Committee and the governmental expert sessional working group, which existed prior to the creation of the Committee, had examined partial reports concerning rights covered by articles 6 to 9, 10 to 12 or 13 to 15 of the Covenant, and comprehensive reports covering all the substantive articles, submitted by 113 of the 151 States parties to the Covenant which had reports due by then.[6] The total number of States parties to the Covenant reached 156 by the end of the thirty-ninth session. They represented all regions of the world, with different political, legal, socio-economic and cultural systems. The reports submitted to date have illustrated many of the problems that might arise in implementing the Covenant.

55. Through its general comments, the Committee endeavours to make the experience gained through the examination of States' reports available for the benefit of all States parties in order to assist and promote their further implementation of the Covenant; to draw the attention of the States parties to insufficiencies disclosed by a large number of reports; to suggest improvements in the reporting procedures; and to stimulate the activities of the States parties, international organizations and the specialized agencies concerned in achieving progressively and effectively the full realization of the rights recognized in the Covenant. Whenever necessary, the Committee may, in the light of the experience of States parties and of the conclusions drawn therefrom, revise and update its general comments.

56. At its twenty-first session, the Committee adopted the outline for drafting general comments on specific rights enshrined in the Covenant.[7] The Committee agreed that the subject matter of a particular general comment would influence the overall structure of that comment and observed that the outline was not intended to be strictly adhered to. However, the outline provided useful signposts, a checklist of issues to be considered in the process of drafting a

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[5] Ibid.

[6] The 151 States parties do not include Indonesia, Kazakhstan, the Lao People's Democratic Republic, the Maldives, or Montenegro, which having ratified the Covenant in 2006 or 2007, were not obliged to submit their reports prior to 23 November 2007.

[7] *Official Records of the Economic and Social Council, Supplement No. 2* (E/2000/22-E/C.12/1999/11 and Corr.1), annex IX.

general comment. In this respect, the outline would assist in ensuring consistency in the content, format and ambit of general comments to be adopted by the Committee. The Committee emphasized the importance of ensuring that general comments are reader-friendly, of reasonable length and readily understandable to a broad range of readers, primarily States parties to the Covenant. The outline will assist in ensuring consistency and clarity in the structure of the general comments, thus promoting their accessibility, and strengthening the authoritative interpretation of the Covenant provided by the Committee through its general comments.

## K. Statements adopted by the Committee

57. With a view to assisting States parties to the Covenant, the Committee adopts statements to clarify and confirm its position with respect to major international developments and issues bearing upon the implementation of the Covenant. As of 23 November 2007, the Committee had adopted 16 statements (see annex V to the present report).

# CHAPTER III

## Submission of reports by States parties under articles 16 and 17 of the Covenant

58. In accordance with rule 58 of its rules of procedure, the Committee, at its 31st meeting on 5 November 2007, considered the status of submission of reports under articles 16 and 17 of the Covenant.

59. In that connection, the Committee had before it the following documents:

(*a*) Note by the Secretary-General on the revised general guidelines regarding the form and contents of reports to be submitted by States parties (E/C.12/1991/1);

(*b*) Note of the Secretary-General on the States parties to the Covenant and the status of submission of reports as at 19 September 2007 (E/C.12/39/2);

(*c*) Note by the secretariat on follow-up to the consideration of reports under articles 16 and 17 of the Covenant (E/C.12/2007/2).

60. The Secretary-General informed the Committee that, in addition to the reports scheduled for consideration by the Committee at its thirty-eighth session (see paragraph 62 below), he had received, from 25 November 2006 to 24 November 2007, the following reports submitted under articles 16 and 17 of the Covenant by States parties:

> The initial report of Kenya (E/C.12/KEN/1); the second periodic reports of Bolivia (E/C.12/BOL/2), Brazil (E/C.12/BRA/2) and Madagascar (E/C.12/MDG/2); the third periodic reports of France (E/C.12/FRA/3) and the Republic of Korea (E/C.12/KOR/3); the combined second, third and fourth periodic reports of the Philippines (E/C.12/PHL/4) and Nicaragua (E/C.12/NIC/4); the fourth periodic reports of Benin (E/C.12/BEN/4) and Australia (E/C.12/AUS/4); the fifth periodic reports of Poland (E/C.12/POL/5) and the United Kingdom of Great Britain and Northern Ireland (E/C.12/GBR/5); and the combined fourth and fifth periodic reports of Cyprus (E/C.12/CYP/5).

61. At its thirty-eighth session the Committee decided to schedule for consideration in 2009 the status of implementation of the Covenant by Cambodia and Gabon, two non-reporting States parties. The Covenant entered into force for Cambodia and Gabon on 26 August 1992 and 21 April 1983, respectively. Their consolidated initial reports were due on 30 June 1994 and 1990, respectively. By note verbale dated 19 October 2007, the two State parties were requested to submit their initial reports to the Committee.

# CHAPTER IV

## Consideration of reports submitted by States parties under articles 16 and 17 of the Covenant

**62. At its thirty-eighth session, the Committee examined the following reports submitted by four States parties under articles 16 and 17 of the Covenant:**

***Initial reports***

| | |
|---|---|
| **Latvia** | **E/1990/5/Add.70** |

***Second periodic reports***

| | |
|---|---|
| **Nepal** | **E/C.12/NPL/2** |

***Third periodic reports***

| | |
|---|---|
| **Hungary** | **E/C.12/HUN/3** |
| **Netherlands (Antilles)** | **E/C.12/ANT/3** |

***Fifth periodic reports***

| | |
|---|---|
| **Finland** | **E/C.12/FIN/5** |

**63. At its thirty-ninth session, the Committee considered the following reports submitted by five States parties under articles 16 and 17 of the Covenant:**

***Initial reports***

| | |
|---|---|
| **San Marino** | **E/C.12/SMR/4 (Combined initial and second, third and fourth periodic report)** |

***Second periodic reports***

| | |
|---|---|
| **Paraguay** | **E/C.12/PRY/3 (Combined second and third periodic report)** |
| **Costa Rica** | **E/C.12/CRI/4 (Combined second, third and fourth periodic report)** |

***Third periodic reports***

| | |
|---|---|
| **Belgium** | **E/C.12/BEL/3** |

***Fifth periodic reports***

| | |
|---|---|
| **Ukraine** | **E/C.12/UKR/5** |

64. In accordance with rule 62 of the Committee's rules of procedure, representatives of all States submitting a report were invited to participate in Committee meetings at which their reports were considered. All States parties whose reports were considered by the Committee sent representatives to participate in the consideration of their respective reports. In accordance with a decision adopted by the Committee at its second session, the names and positions of the members of each State party's delegation are listed in annex X to the present report.

65. At its eighth session, the Committee had decided to discontinue its practice of including in its annual report summaries of the consideration of country reports. Reference is made, in this regard, to the relevant summary records of the meetings of the Committee at which the reports were considered. In accordance with modified rule 57 of the Committee's rules of procedure, the annual report should include the Committee's concluding observations relating to each State party's report. Accordingly, the following paragraphs, arranged on a country-by-country basis according to the sequence followed by the Committee in its consideration of the reports, contain the concluding observations adopted by the Committee with respect to the States parties' reports considered at its thirty-eighth and thirty-ninth sessions. In accordance with established Committee practice, members do not take part in either the drawing up or the adoption of the concluding observations relating to their own country's report.

*Thirty-eighth session*

## LATVIA

66. The Committee on Economic, Social and Cultural Rights considered the initial report of Latvia on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/1990/5/Add.70) at its 14th, 15th and 16th meetings, held on 8 and 9 May 2007 (E/C.12/2007/SR.14-16), and adopted, at its 25th meeting held on 16 May 2007, the following concluding observations.

### A. Introduction

67. The Committee welcomes the submission of the initial report of Latvia, albeit late, which was prepared in general conformity with the Committee's guidelines, and the detailed written replies to its list of issues.

68. The Committee welcomes the dialogue with the delegation of the State party, which included a number of representatives from various government departments. The Committee regrets however, that the delegation has chosen not to answer some of the questions.

### B. Positive aspects

69. The Committee welcomes the establishment, in January 2007, of the Office of the Rights Defender (the Ombudsperson), which replaced the Latvian National Human Rights Office.

70. The Committee notes with satisfaction the ratification by the State party, in June 2006, of International Labour Organization (ILO) Conventions No. 29 on Forced Labour (1930), No. 182 on the Worst Forms of Child Labour (1999) and No. 138 on Minimum Age (1973).

**71. The Committee notes with satisfaction the ratification by the State party, in October 2005, of the Council of Europe Framework Convention for the Protection of National Minorities.**

**72. The Committee notes with satisfaction various initiatives taken by the State party to support the development of an active cultural life in Latvia, through, inter alia, the national programme "Culture" and the Culture Capital Foundation.**

## C. Factors and difficulties impeding the implementation of the Covenant

**73. The Committee notes the absence of any factor or difficulty preventing the effective implementation of the Covenant in the State party.**

## D. Principal subjects of concern

**74. The Committee is concerned that, in spite of the actions taken by the Latvian authorities against organized crime and corruption, including the work of the Corruption Prevention and Combating Bureau (KNAB), the State party continues to face serious problems of corruption within State institutions, the police force and the judiciary, which have a negative effect on the full exercise of the rights enshrined in the Covenant.**

**75. While noting the existence of anti-discrimination provisions in the administrative and criminal legislation of the State party, the Committee regrets the delay in the enactment of comprehensive anti-discrimination legislation in the State party.**

**76. The Committee regrets that it did not receive full and adequate information on the fulfilment of the obligation of the State party to guarantee the enjoyment of rights enshrined in the Covenant without discrimination, as stipulated in article 2, paragraph 2, of the Covenant, with respect to non-citizens with permanent resident status who make up some 20 per cent of the population in Latvia.**

**77. The Committee is concerned that the State Language Law which mandates the use of Latvian in all dealings with public institutions, including administrative districts, may be discriminatory in effect against linguistic minorities living in the State party, including the Russian-speaking minority which constitutes a significant proportion of the population. In particular, the Committee is concerned that members of linguistic minorities, especially older persons, may be disadvantaged in their claims to public authorities with regard to their entitlement to public services. This has a negative impact on their enjoyment of economic, social and cultural rights.**

**78. The Committee is concerned that, in spite of the measures taken by the State party to promote equality between men and women, including the Programme for the Implementation of Gender Equality (2005-2006), de facto gender inequalities and stereotypes persist in the State party, particularly with regard to wages and participation in public decision-making. The Committee regrets that it has not received sufficient information from the State party regarding affirmative action initiatives to promote gender equality.**

**79. The Committee is concerned about the persistent disparities in the levels of unemployment among the regions in the State party.**

80. The Committee encourages the State party to continue to improve vocational training programmes to empower the workforce, in particular disadvantaged and marginalized individuals, to facilitate their entry into the labour market and to ensure that vocational training is also provided in minority languages.

81. The Committee is concerned that, while noting the efforts of the State Employment Agency to encourage employment of persons with disabilities, persons with mental and physical disabilities continue to face serious obstacles in accessing the labour market, in part due to the absence of vocational training in schools.

82. The Committee notes the absence of criminal law provisions specifically addressing sexual harassment in the workplace.

83. The Committee is concerned about the low level of awareness of labour safety protection measures amongst employers, particularly in view of the increasing incidence of occupational accidents in the State party.

84. The Committee is concerned that the current minimum wage is insufficient to provide an adequate standard of living for workers and their families.

85. The Committee regrets the lack of information provided as to whether the current levels of social security benefits permit recipients a reasonable standard of living consistent with articles 9 and 11 of the Covenant. The Committee is also concerned that unemployment benefits, which are gradually reduced in amount on a monthly basis over a maximum nine-month period, may be insufficient to secure a decent standard of living for workers and their families, and in particular, to persons belonging to disadvantaged and marginalized groups.

86. The Committee is concerned about the high incidence of domestic violence and other forms of abuse against women and children in the State party, which often go unreported. In this connection, the Committee is particularly concerned about the absence of specific legislation on domestic violence and of a coherent strategy to support victims of domestic violence.

87. The Committee is concerned that, in spite of the adoption, in 2004, of the State Programme for Elimination of Trafficking in Humans (2004-2008), cross-border and internal trafficking in persons continues to be a serious problem for the State party. The Committee is also concerned that, although trafficking in persons carries a maximum penalty of 15 years' imprisonment under article 154 of the amended Criminal Code, in most cases, the courts administer significantly lower prison sentences under article 165, for "sending a person for sexual exploitation".

88. The Committee, while welcoming the information that the State party is currently undertaking studies into the situation of children living and/or working on the street, is concerned about the absence of an effective strategy to address the problem.

89. The Committee is concerned that, despite the progress achieved by the State party to combat poverty through the Latvian National Action Plan for Reduction of Poverty and Social Exclusion (2004-2006), poverty persists in the State party. The Committee is also concerned that the strategies of the State party to alleviate poverty do not sufficiently address the regional disparities that affect the equal enjoyment by all of economic, social and cultural rights.

90. The Committee regrets the lack of full and adequate information concerning forced evictions, in particular, those resulting from rent arrears, and the specific conditions under which they can occur. The Committee also notes the lack of information on the extent of homelessness in the State party.

91. The Committee is concerned that, despite the fact that budget allocation on health, including public health, has increased in the State party, the overall funds available for the health-care system remain insufficient. The Committee is also concerned about the regional disparities in health-care coverage and the increasing shortage of medical personnel due to economic migration.

92. The Committee is concerned about the high rate of tobacco use, as well as the high level of alcohol consumption.

93. The Committee is alarmed by the high suicide rate in Latvia.

94. While commending the State party for its efforts to reform the mental health-care system, including the adoption of new legislation on mental health, the Committee remains concerned that institutional care continues to be the dominant form of care for mental patients, and that community-based services are still underdeveloped.

95. The Committee remains concerned about the budget allocation for education and its impact on the quality of education, particularly with regard to State schools, as well as the level of salaries for teachers. The Committee regrets the lack of clarity in the information provided by the State party regarding the quality of education in the State party, in particular the lack of specific information provided on measures taken to address the situation of children in rural areas.

96. While welcoming the efforts made by the State party to increase educational opportunities for Roma children, including the National Programme on Roma in Latvia (2007-2009), which includes specific measures on education and integration, the Committee remains concerned that a high percentage of Roma children drop out, often at early stages of schooling.

97. The Committee regrets that it did not receive sufficient information on the progress achieved by the State party in ensuring that schools are free from aggression, drugs and alcohol.

## E. Suggestions and recommendations

98. The Committee recommends that the State party take all necessary measures to allocate sufficient human and financial resources to the Office of the Rights Defender (the Ombudsperson), with a view to strengthening the capacity and effectiveness of the Office.

99. The Committee recommends that the State party consider ratifying the European Social Charter (revised) CETS No. 163.

100. The Committee urges the State party to continue to strengthen its efforts to combat corruption, including by ensuring the effective functioning of the Corruption Prevention and Combating Bureau (KNAB), and to take all necessary measures to combat corruption within State institutions, the police force and the judiciary.

101. The Committee urges the State party to take the necessary measures to enact, without further delay, comprehensive anti-discrimination legislation, in accordance with article 2, paragraph 2, of the Covenant.

102. The Committee urges the State party to ensure that the lack of citizenship of permanent residents does not hinder their equal enjoyment of economic, social and cultural rights, including employment, social security, health services and education. The Committee also requests the State party to provide, in its next periodic report, detailed and comprehensive information on the enjoyment of all economic, social and cultural rights, disaggregated by citizen/non-citizen status.

103. The Committee urges the State party to ensure that adequate support is provided to members of linguistic minorities, especially older persons, through, inter alia, increased allocation of resources to subsidize language courses, with a view to enhancing opportunities for those wishing to acquire fluency in Latvian. The Committee also recommends the State party, in line with article 10 of the Council of Europe Framework Convention for the Protection of National Minorities to which Latvia is a party, consider providing translators and interpreters in State and municipal offices, in particular, in regions that have a high concentration of minority language speakers.

104. The Committee urges the State party to adopt a law on gender equality and take effective measures, including affirmative action measures where necessary, to ensure that women enjoy full and equal participation in the labour market and in political life. The Committee requests the State party to provide information in its next periodic report on progress made in the field of gender equality, including detailed information on the implementation of the Programme for the Implementation of Gender Equality (2005-2006).

105. The Committee urges the State party to intensify its efforts to reduce unemployment through specially targeted programmes, including programmes to stimulate rural development, inter alia, through local employment initiatives. The Committee invites the State party to provide, in its next periodic report, disaggregated and comparative data, on an annual basis, also showing regional differences, on the results of these efforts.

106. The Committee recommends that the State party continue its efforts to promote the integration of persons with disabilities into the labour market, by, inter alia, allocating employment quotas for persons with disabilities. The Committee requests the State party to provide, in its next periodic report, disaggregated and comparative data on the impact of these measures.

107. The Committee urges the State party to take effective measures to prevent occupational accidents, by, inter alia, allocating sufficient resources to strengthen the labour inspectorate and ensuring that employers who fail to observe safety regulations are duly sanctioned. The Committee recommends that the State party consider ratifying the ILO Prevention of Major Industrial Accidents Convention, 1993 (No. 174).

108. The Committee recommends that the State party adopt legislation specifically addressing and criminalizing sexual harassment in the workplace.

109. The Committee invites the State party to monitor regularly the minimum wage and adjust it to the cost of living, to ensure that the minimum wage enables workers and their families to enjoy an adequate standard of living, in accordance with article 7 (a) (ii) of the Covenant.

110. The Committee calls upon the State party to ensure that targeted social assistance dependent on family income is guaranteed to all disadvantaged and marginalized individuals and their families, and that such assistance does not fall below subsistence level. The Committee recommends the State party to review, and adjust when necessary, the current coverage and length of unemployment benefit provision, particularly in relation to the consumer price index and the average length of unemployment, and to include in its next report detailed information on the extent to which unemployment benefit and social security assistance guarantee a decent standard of living for unemployed workers and their families. The Committee further recommends that the State party consider ratifying the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102).

111. The Committee recommends that the State party consider adopting specific legislation on domestic violence and criminalizing acts of domestic violence. The Committee requests the State party to provide in its next periodic report the legislative and policy measures adopted by the State party to address domestic violence, including facilities and remedies provided for victims. The Committee also recommends the State party to undertake information campaigns in order to increase public awareness and to provide training to law enforcement officials and judges on the serious and criminal nature of domestic violence.

112. The Committee calls on the State party to strengthen its measures to combat trafficking in persons, through allocation of sufficient resources and by vigorously pursuing enforcement of criminal laws in this regard. The State party is also encouraged to undertake training programmes for law enforcement officials and the judiciary to ensure that they are sensitized to the rights and needs of victims, to provide better protection and appropriate care for them, and to ensure that these persons can claim redress before courts of law.

113. The Committee recommends that the State party undertake urgent and effective measures to address problems faced by children living and/or working on the street, and to protect them against all forms of exploitation. The Committee requests the State party to provide detailed information as well as up-to-date and comparative statistics on this issue in its next periodic report.

114. The Committee urges the State party to ensure the full integration of economic, social and cultural rights in its social development and poverty reduction strategies. In this regard, the Committee refers the State party to the statement on poverty and the International Covenant on Economic, Social and Cultural Rights (E/C.12/2001/10) which the Committee adopted on 4 May 2001. The Committee encourages the State party to develop indicators and benchmarks on an annual basis, disaggregated by gender, age, urban/rural population and ethnic background for the purpose of specifically assessing the needs of disadvantaged and marginalized individuals and groups, and requests that this information be included in the next periodic report. The Committee urges the State party to take all remedial measures to address the regional disparities that affect the equal enjoyment of economic, social and cultural rights.

**115. The Committee urges the State party to ensure that adequate compensation or alternative housing is provided whenever forced evictions take place, in line with the guidelines set out by the Committee in general comment No. 7 (1997) on the right to adequate housing (article 11 (1) of the Covenant): forced evictions, and to include updated statistical data on an annual basis on the number of forced evictions, arrangements for alternative housing and the extent of homelessness in its next periodic report.**

**116. The Committee urges the State party to undertake the necessary measures to improve its health services by, inter alia, increasing the budgetary allocation to the health sector and extending basic health services to rural areas. The Committee invites the State party to include, in its next periodic report, information and comparative statistical data on poverty-related diseases, with particular attention to rural areas.**

**117. The Committee calls upon the State party to adopt effective measures, including public awareness campaigns, to reduce tobacco use and alcohol consumption.**

**118. The Committee recommends that the State party undertake a study of suicide, in order to analyse the root causes, and invites the State party to develop, on the basis of the study, a coherent strategy to address the problem and report back to the Committee on the progress achieved in its next periodic report.**

**119. The Committee urges the State party to allocate increased resources and undertake effective measures for treatment of, and care for, persons with mental illnesses, with a view to moving away from institutionalization in favour of community-based care.**

**120. The Committee urges the State party to allocate the required resources to improve the quality of education offered in schools at all levels, in line with the Committee's general comment No. 13 (1999) on the right to education. The Committee recommends that the State party review the quality of education offered in State schools, and ensure access to education in all parts of the country. The Committee invites the State party to provide detailed and updated information and comparative statistical data on the quality of education in its next periodic report.**

**121. The Committee urges the State party to continue to take effective measures to increase school attendance by Roma children, including, inter alia, through allocation of scholarships and the recruitment of additional school personnel from among the Roma community. The Committee requests the State party to provide, in its next periodic report, information on the results of the National Programme on Roma in Latvia (2007-2009), including measures taken in the field of education.**

**122. The Committee invites the State party to provide information on the measures taken, and the progress achieved, in making schools safe for all children.**

**123. The Committee requests the State party to disseminate the present concluding observations widely among all levels of society, particularly among government officials and judicial authorities, and to inform the Committee on all steps taken to implement them in its next periodic report.**

124. It also encourages the State party to engage non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.

125. The Committee encourages the State party to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

126. The Committee encourages the State party to consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

127. The Committee invites the State party to update its core document in accordance with the requirements of the common core document in the harmonized guidelines on reporting, recently approved by the international human rights treaty bodies.

128. The Committee requests the State party to submit its combined second, third and fourth periodic reports by 30 June 2009.

## HUNGARY

129. The Committee on Economic, Social and Cultural Rights considered the third periodic report of Hungary on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/HUN/3) at its 6th, 7th and 8th meetings, held on 2 and 3 May 2007 (E/C.12/2007/SR.2 and 3), and adopted, at its 23rd and 24th meetings held on 15 May 2007 (E/C.12/2007/SR.23 and 24), the following concluding observations.

### A. Introduction

130. The Committee welcomes the submission of the third periodic report of the State party, due on 30 June 1994 and submitted on 29 September 2005, which was prepared in general conformity with the Committee's guidelines, and of the written replies to its list of issues.

131. The Committee welcomes the open and constructive dialogue with the delegation of the State party, which included many experts from various government departments, as well as its frank answers to the questions asked by the Committee.

### B. Positive aspects

132. The Committee notes with appreciation the recent adoption of legislative and other measures to combat discrimination and promote equal opportunities for disadvantaged and marginalized individuals and groups in the area of economic, social and cultural rights, in particular:

(*a*) Act No. 125 of 2003 on Equal Treatment and the Promotion of Equal Opportunities establishing an Equal Treatment Authority, which investigates and decides on individual complaints about discrimination;

(*b*) The establishment of a Women's Representation Council to coordinate the implementation of Government programmes promoting equal opportunities for women and to review and comment on draft legislation and other measures promoting gender equality;

(*c*) The National Strategy Report on Social Protection and Social Inclusion for 2006-2008 aimed at eliminating poverty and social exclusion and enhancing the sustainability of the pension system; and

(*d*) The Roma Integration Decade Programme Strategy Plan for the period 2007 to 2015.

133. The Committee welcomes the favourable position that the State party is taking concerning the elaboration of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

### C. Factors and difficulties impeding the implementation of the Covenant

134. The Committee notes the absence of any significant factors or difficulties impeding the effective implementation of the Covenant in the State party.

### D. Principal subjects of concern

135. The Committee notes that, although the Covenant has been incorporated into the domestic law of the State party, most of the rights recognized in the Covenant are not directly applicable in the courts of the State party.

136. The Committee is concerned that the shared burden of proof under the Equal Treatment Act, requiring the victim merely to establish a prima facie case of discrimination, whereupon the burden of proof shifts to the alleged discriminator, is reportedly rarely applied by the courts. It is also concerned that the low level of resources provided to the Equal Treatment Authority since its inception and the recent reduction in its funding and the number of staff may adversely affect its capacity to deal with an increasing caseload.

137. The Committee notes that, while the Equal Treatment Act and sectoral laws such as the Labour Code and the Education Act, include provisions prohibiting gender discrimination, the State party has not adopted a comprehensive gender equality law.

138. The Committee notes with concern that women continue to be underrepresented in Parliament and in senior positions in the public service.

139. The Committee is concerned about the extremely high unemployment rate among the Roma in the State party and about discrimination against Roma by private and public employers.

140. The Committee notes with concern that, despite special support schemes in place to promote employment opportunities for persons with reduced working capacity, a very high percentage of persons with disabilities is still unemployed.

141. The Committee notes the absence of criminal law provisions specifically addressing sexual harassment in the workplace.

142. The Committee notes with concern that, according to the State party, the net minimum wage is not fully sufficient to cover the subsistence costs of a "single household".

143. The Committee is concerned about the increase of fatal work accidents in the State party, in particular in the construction and transportation sectors.

144. The Committee is concerned about reports on the inadequate protection in the State party of trade union officers who are engaged in the defence of employees having been dismissed in violation of the labour law.

145. The Committee regrets that the statistical data on social security benefits provided by the State party in relation to personal and material coverage did not enable an assessment of the overall adequacy of the system and the identification of persons and groups who may not be sufficiently protected.

146. The Committee is deeply concerned about the "limited effectiveness of the cash transfer programme" in the State party and about the fact that social assistance levels do not ensure an adequate safety net for, in particular, the disadvantaged and marginalized individuals, families and groups, such as the Roma.

147. The State party notes the absence of criminal law provisions specifically prohibiting domestic violence and spousal rape.

148. The Committee is concerned that the number of women and girls trafficked to, from, and through the State party is not adequately documented and that the State party has not adopted a national action plan to combat trafficking.

149. The Committee is concerned about reports that the State party has a restrictive approach to family reunification of refugees, and that persons authorized to stay on the basis of subsidiary protection have no right to family reunification.

150. The Committee is deeply concerned that one-fifth of the Roma in the State party live in slum settlements, often without access to running water, adequate sewerage or located close to municipal dumpsites, and that Roma are frequently denied access to social housing, e.g. on the ground that they previously occupied accommodation without legal title or as a result of the distribution of social housing by local governments through public auction at high prices. It is particularly concerned about the increasing number of forced evictions of Roma, often without provision of adequate alternative housing, and about the Constitutional Court's ruling that the need to implement eviction orders takes precedence over the right of children not to be separated from their families and placed in the State care system.

151. The Committee is concerned about the limited access to general practitioners and health-care services in the State party, especially in rural areas.

152. The Çommittee notes with concern that every sixth man and every eleventh woman in the State party has mental health problems and that the suicide rate in the State party is among the highest in the world, especially among women.

153. The Committee is concerned that the average life expectancy of Roma is more than 10 years shorter than that of non-Roma, and that Roma are reportedly often denied access to health services, including emergency aid services; segregated in hospitals; and discriminated by health practitioners who allegedly provide medical services of lower quality to them or extort unjustified amounts of money from them.

154. The Committee is concerned about reports on aggressive behaviour and easy access to drugs and alcohol among schoolchildren in the State party.

155. The Committee is deeply concerned about the high number of Roma children segregated in separate schools, such as special remedial schools for children with mental disabilities, or in separate substandard "catch-up" classes within schools, and that mainstream schools frequently put pressure on Roma parents to apply for private student status for their children. It is also concerned about the high dropout rate among Roma students at the secondary level and about their low enrolment in higher education.

156. The Committee is concerned about the limited opportunities for minorities, including for the Roma, to receive instruction in, or of, their native language and of their culture.

157. The Committee is concerned that the minority self-governments are insufficiently funded to discharge their responsibilities in the co-administration and co-management of educational and cultural institutions.

## E. Suggestions and recommendations

158. The Committee recommends that the State party take legislative and other appropriate measures to ensure the direct applicability of all Covenant rights in domestic courts, that legal and judicial training take full account of the justiciability of these rights, and that it promote the use of the Covenant as a source of domestic law. It draws the attention of the State party to general comment No. 9 (1998) on the domestic application of the Covenant and invites it to include, in its next periodic report, information on court decisions giving effect to Covenant rights.

159. The Committee recommends that the State party ensure that courts apply the shared burden of proof in discrimination cases, in accordance with the Equal Treatment Act, and that the Equal Treatment Authority is sufficiently funded and staffed to deal with its increasing caseload. It requests the State party to provide, in its next periodic report, detailed information on the number, nature and outcome of cases decided by the Equal Treatment Authority in the field of economic, social and cultural rights.

160. The Committee recommends that the State party consider adopting a comprehensive gender equality law promoting equal opportunities for women, in particular in the fields covered by the Covenant.

161. The Committee recommends that the State party adopt temporary special measures, such as statutory quotas, to ensure the adequate representation of women in Parliament and in local elected bodies. The Committee also recommends that the State party undertake a study on the reasons for the underrepresentation of women in senior positions in the public service and that it take measures to increase their representation.

162. The Committee urges the State party to intensify its efforts to reduce Roma unemployment through specifically targeted measures, including by enhancing professional training and sustainable employment opportunities in communities with significant Roma populations and increasing the number of Roma in the central and local governments. It also recommends that the State party ensure the strict application of anti-discrimination legislation by the courts, local

governments and labour offices. The Committee further recommends that the State party take more effective measures to encourage the private sector to provide adequate employment opportunities for the Roma. The Committee requests the State party to collect disaggregated data on unemployment and informal economy participation of Roma, set specific benchmarks to reduce the employment gap between Roma and non-Roma, and include such data, as well as detailed information on the results of the measures taken to improve employment opportunities for Roma, in its next periodic report.

163. The Committee recommends that the State party further intensify its efforts to integrate persons with disabilities into the labour market and the education and professional training systems, to make all workplaces and educational and professional training institutions accessible for persons with disabilities, and to provide detailed information on the results of the National Disability Programme and action plans in its next periodic report.

164. The Committee recommends that the State party adopt legislation specifically addressing and criminalizing sexual harassment in the workplace.

165. The Committee recommends that the State party ensure that the net minimum wage is periodically reviewed and determined at a sufficient level to provide all workers and their families with a decent standard of living, in accordance with article 7 (a) (ii) of the Covenant.

166. The Committee recommends that the State party effectively enforce regulations on safety at the workplace, by increasing labour inspections, informing employees and employers in both the public and private sectors about their rights and obligations in relation to protection against work accidents, and imposing appropriate penalties whenever such regulations are violated, with a view to reducing the occurrence of, in particular, fatal work accidents. It requests the State party to provide in its next periodic report updated and disaggregated information on the number, causes, and consequences of work accidents and on the penalties imposed.

167. The Committee recommends that the State party strengthen the protection of trade union officers engaged in the defence of employees' rights. It requests the State party to provide detailed information on the regularity of labour inspections, as well as on the number and nature of cases of unfair dismissals and other violations of the right to strike, the sanctions imposed on the employers, and the remedies provided to the victims of such violations.

168. The Committee recommends that the State party provide in its next periodic report detailed information on the categories of workers (i.e. employees and self-employed, domestic, part-time and other specific groups of workers) covered by social security and the benefits, including family benefits, guaranteed to each category of workers, so as to enable an assessment of persons covered and benefits granted. It further recommends that the State party provide detailed information on the public and private pension schemes with regard to funding, coverage and amounts, in particular minimum amounts.

169. The Committee urges the State party to review its regulations on social assistance allowances and raise their amounts in order to better target the most disadvantaged and marginalized individuals, families and groups, such as the Roma, and provide them with a safety net that enables them to enjoy their economic, social and cultural rights. It also urges the State party to establish minimum standards for social assistance operated by local governments to ensure equal treatment for all those in need of social assistance.

170. The Committee recommends that the State party adopt specific legislation criminalizing acts of domestic violence and amend its Criminal Code to explicitly prohibit spousal rape. It requests the State party to provide detailed information on the number and nature of reported cases of domestic violence, convictions and the types of sanctions imposed on perpetrators, and on assistance and compensation provided to victims.

171. The Committee calls on the State party to monitor closely the number of women and girls trafficked to, from, and through its territory; develop a national action plan to combat trafficking in human beings, especially women and girls; provide mandatory training on trafficking for the police, prosecutors and judges; and include in its next periodic report updated information on the number of reported trafficking cases, convictions and sentences imposed on perpetrators, and on the assistance provided to victims.

172. The Committee recommends that the State party review its regulations on family reunification of refugees, with a view to broadening the concept of family members, simplifying and expediting reunification procedures, and protecting the right to family life of all refugees, including persons authorized to stay on the basis of subsidiary protection.

173. The Committee urges the State party to adopt and implement remedial measures relating to infrastructure in Roma settlements, extend the application of the Roma Housing and Social Integration Programme to all communities concerned, effectively enforce anti-discrimination legislation in the housing sector, refrain from distributing social housing through public auction at high prices; and increase the availability of social housing, in particular for the Roma. It also urges the State party to ensure that the rights of affected individuals, including children, are safeguarded and that alternative housing is provided whenever forced evictions take place, in line with the Committee's general comment No. 7 (1997) on the right to adequate housing, and to include disaggregated data on the extent of homelessness, the number of forced evictions and arrangements for alternative housing in its next periodic report.

174. The Committee recommends that the State party intensify its efforts to ensure adequate access for all, including the disadvantaged and marginalized individuals and groups, to health-care services, especially in rural areas. In particular, it recommends that the State party promote the recruitment and establishment of general practitioners in rural areas and implement public health prevention programmes, as well as programmes for sexual and reproductive health.

175. The Committee recommends that the State party intensify its efforts to address the socio-economic causes of mental health problems and suicide and strengthen the provision of psychological counselling services at the local level, as well as training of health professionals on the causes and symptoms of depression and other mental health problems. It also requests the State party to include a section on the mental health status of the population in its next periodic report.

176. The Committee recommends that the State party strengthen preventive health-care services and improve public services, such as clean water, sewerage, waste disposal and sanitation, particularly in Roma communities, and increase its efforts to address poor nutrition, chronic stress and other factors contributing to the low life expectancy of Roma. It also recommends that the State party intensify anti-discrimination campaigns and training of public and private health-care providers.

177. The Committee requests the State party to adopt a national plan of action to prevent aggression in schools and to combat drug and alcohol abuse among children, as well as to provide, in its next periodic report, disaggregated and comparative data, on an annual basis, on the results achieved.

178. The Committee urges the State party to take effective measures to end inter- and intra-school segregation of Roma children and to ensure that segregated pupils are mainstreamed into the regular school system without delay; to enforce the prohibition of segregation under the Equal Treatment Act and of limitations under the Education Act on free school choice and on the proportion of severely disadvantaged children per school; to provide effective incentives for integrated education; and to ensure that every application for private student status is reviewed by an independent child protection expert. It recommends that the State party allocate sufficient funds to the free provision of textbooks, mentorship programmes and scholarships for disadvantaged students, in particular for the Roma, with a view to reducing dropout rates at the secondary level and increasing Roma enrolment in higher education. It also requests the State party to provide disaggregated data on enrolment, attendance and dropout rates of Roma at all levels of education, as well as on the extent and the forms of segregation, in its next periodic report.

179. The Committee recommends that the State party ensure adequate opportunities for minorities, including for the Roma, to receive instruction in, or of, their native language and of their culture and, to that end, increase resources allocated to minority language education, as well as the number of teachers instructing minority languages, in cooperation with local governments and minority self-governments.

180. The Committee recommends that the State party ensure that minority self-governments receive sufficient public funding to exercise their cultural autonomy and promote initiatives and programmes in the fields of education and culture.

181. The Committee recommends that the State party take appropriate measures, including education and awareness-raising campaigns, to integrate the values of minority cultures into the national culture, while at the same time preserving the cultural identity of its minorities.

182. The Committee recommends that the State party adopt a national plan of action on human rights and that it proceed with the proposed establishment of an inter-ministerial committee on human rights to coordinate the preparation of periodic reports to human rights treaty bodies, as well as the implementation of treaty body recommendations.

183. The Committee invites the State party to consider ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

184. The Committee requests the State party to disseminate the present concluding observations widely among all levels of society, particularly among government officials and judicial authorities, and to inform the Committee on all steps taken to implement them in its next periodic report. It also encourages the State party to engage non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.

**185. The Committee invites the State party to update its core document in accordance with the 2006 harmonized guidelines for the preparation of a common core document.**

**186. The Committee requests the State party to include in its next periodic report a specific section on the results of the measures taken to combat discrimination and enhance respect, protection and fulfilment of economic, social and cultural rights of the Roma under each of the Covenant rights. The Committee further requests the State party to include disaggregated data on an annual basis, as well as specific benchmarks, to enable an adequate monitoring and evaluation of the progress made in its next periodic report.**

**187. Finally, the Committee requests the State party to submit its combined fourth, fifth and sixth periodic reports by 30 June 2009.**

## FINLAND

**188. The Committee on Economic, Social and Cultural Rights considered the fifth periodic report of Finland on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/FIN/5) at its 11th and 12th meetings, held on 7 May 2007 (E/C.12/2007/SR.11 and E/C.12/2007/SR.12), and adopted, at its 27th meeting held on 18 May 2007 (E/C.12/2007/SR.27), the following concluding observations.**

### A. Introduction

**189. The Committee welcomes the submission of the fifth periodic report of Finland, which was prepared in general conformity with the Committee's guidelines. The Committee also notes with appreciation the comprehensive written replies submitted by the State party to its list of issues (E/C.12/ FIN/Q/5/Add.1).**

**190. The Committee welcomes the constructive dialogue with the delegation of the State party, which included a number of representatives from various government departments, as well as the delegation's answers to the questions posed by the Committee.**

### B. Positive aspects

**191. The Committee notes with appreciation the State party's continuing efforts to comply with its obligations under the Covenant and the overall protection afforded to economic, social and cultural rights in the State party.**

**192. The Committee welcomes the information provided in the State party report on the implementation of the concluding observations adopted by the Committee with regard to the fourth periodic report of the State party.**

**193. The Committee notes with satisfaction that the State party has indicated its support for an Optional Protocol to the Covenant.**

**194. The Committee welcomes the efforts undertaken by the State party to combat discrimination, including the establishment of the Office of the Minority Ombudsman, the adoption of the Non-Discrimination Act and the amendments to the Penal Code increasing sanctions imposed for crimes related to ethnic intolerance.**

195. The Committee welcomes the amendments to the Act on Equality between Men and Women, particularly the mandatory development of equality plans for companies employing more than 30 persons. The Committee also welcomes the introduction of a quota system for the representation of men and women (at least 40 per cent of each) in all State and municipal bodies.

196. The Committee welcomes the recent amendments to the Penal Code to include the crime of trafficking in human beings and aggravated trafficking in human beings in the Finnish legislation, as well as the adoption, in January 2007, of the Act on Support for Victims of Trafficking. The Committee also takes note of the recent ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, and the signature of the Council of Europe Convention on Action against Trafficking in Human Beings.

## C. Factors and difficulties impeding the implementation of the Covenant

197. The Committee notes the absence of any significant factors or difficulties preventing the effective implementation of the Covenant in Finland.

## D. Principal subjects of concern

198. The Committee is concerned that in spite of the efforts made by the State party to solve the question of the ownership and use of land in the Sámi Homeland, the prevailing legal uncertainty surrounding this issue negatively affects the right of the Sámi to maintain and develop their traditional culture and way of life, in particular reindeer herding. The Committee also notes that failure to resolve the issue of land rights in the Sámi Homeland has so far prevented Finland from ratifying the International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

199. The Committee regrets that in 2004 Finland devoted only 0.35 per cent of its gross domestic product (GDP) to official development assistance (ODA), whereas the United Nations target for ODA is 0.7 per cent of GDP for industrialized countries.

200. The Committee regrets that despite the measures adopted by the State party to enhance its legal and institutional mechanisms aimed at combating discrimination, de facto discrimination against foreigners and members of national, racial and ethnic minorities, in particular Roma, is still widespread among some sectors of the population, especially in the fields of employment, housing and access to public places such as restaurants and bars. The Committee notes with concern that Roma women wearing traditional costume are particularly vulnerable to such forms of discrimination.

201. The Committee notes with concern the persistent salary differences between men and women, in spite of the efforts made by the State party to end gender discrimination in the workplace, and the low percentage of women in high-ranking positions in many areas, including university teaching posts.

202. The Committee is concerned that the extensive use of temporary employment contracts may de facto limit the capacity of part-time workers, stand-by workers and foreigners to enjoy the labour rights set out in articles 6, 7 and 8 of the Covenant.

203. The Committee is concerned that violence within the family - and in particular violence against women - is still a widespread problem, despite the efforts undertaken by the State party to combat domestic violence. The Committee also notes with concern the lack of specific legislation concerning domestic violence.

204. The Committee regrets the absence of disaggregated statistical data on the extent of poverty in the State party's report, particularly among refugees and the immigrant population, and notes that the State party has yet to adopt an official poverty line, which would enable the State party to define the incidence and depth of poverty and to monitor and evaluate progress in alleviating poverty.

205. The Committee is concerned about the increase in alcohol and drug abuse, as well as about the high incidence of mental health disorders in the State party, especially among young persons.

206. The Committee notes with concern the high dropout rate of Roma children, and in particular of Roma girls, despite the efforts undertaken by the State party to improve access to education of Roma children. The Committee is deeply concerned that according to reports received, Roma children tend to be channelled towards special education more than other children due to the perception of teachers that such children are difficult or need special attention.

## E. Suggestions and recommendations

207. The Committee urges the State party to adopt all necessary measures to ensure that logging and other activities currently carried out by private actors in the Sámi Homeland do not negatively affect the right of the Sámi to maintain and develop their traditional culture and way of life, in particular reindeer herding, and the enjoyment of their economic, social and cultural rights. The Committee also urges the State party to find an adequate solution to the question of the ownership and use of land in the Sámi Homeland in close consultation with all parties concerned, including the Sámi Parliament, and then to ratify ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries as a matter of priority.

208. The Committee recommends that the State party continue its activities in the area of international cooperation and increase ODA to 0.7 per cent of its GDP, as recommended by the United Nations. The Committee also urges the State party to take into account the provisions of the Covenant in its bilateral project agreements with other countries.

209. The Committee urges the State party to continue strengthening its legal and institutional mechanisms aimed at combating discrimination, and requests the State party to include in its next periodic report detailed information on the outcomes of the initiatives undertaken to fight racism and xenophobia and to enhance tolerance and respect for foreigners and members of national, racial and ethnic minorities. The Committee also requests the State party to provide updated data in its next periodic report on the number of prosecutions and convictions for crimes motivated by ethnicity.

210. The Committee calls upon the State party to continue strengthening programmes to enhance equality between men and women in the workplace, with particular regard to efforts aimed at implementing the principle of equal pay for work of equal value and ensuring the equitable representation of women in managerial positions. The Committee requests the State

**party to include in its next periodic report detailed information on the measures taken to reduce wage differentials between men and women and to increase the number of women in high-ranking positions.**

**211. The Committee recommends the State party take all necessary measures to ensure that temporary employment contracts are not used to circumvent the effective enjoyment of the labour rights set out in articles 6, 7 and 8 of the Covenant, and that such contracts are concluded only in those cases provided for by the legislation in force, including the Employment Contracts Act and the State Civil Servants Act.**

**212. The Committee requests that the State party include in its next periodic report detailed information on the extent of the problem of domestic violence, and in particular violence against women, and on the measures taken to combat this phenomenon. In this connection, the Committee encourages the State party to consider enacting specific legislation to criminalize domestic violence.**

**213. The Committee calls upon the State party to strengthen its efforts to combat poverty and social exclusion and to develop a mechanism for measuring the poverty level and for monitoring it closely. In this respect, the Committee refers the State party to its statement on poverty and the International Covenant on Economic, Social and Cultural Rights (E/C.12/2001/10). The Committee requests that the State party provide in its next periodic report disaggregated and comparative data on the number of people living in poverty and on progress achieved in reducing the incidence and depth of poverty.**

**214. The Committee recommends that the State party intensify its efforts aimed at preventing alcohol and drug abuse, as well as at addressing the root causes of mental health disorders among the population of the State party. The Committee requests that the State party provide in its next periodic report detailed information on progress made in improving mental health of the population in the State party, reducing the incidence of alcohol and drug abuse, and promoting a healthy lifestyle among young persons.**

**215. The Committee recommends that the State party intensify its efforts to improve access to inclusive education for Roma children, inter alia by:**

**(*a*) Taking immediate steps to eliminate negative prejudices and stereotypes regarding Roma and their contribution to society;**

**(*b*) Facilitating the recruitment of Roma teachers so as to ensure, to the widest extent possible, adequate opportunities for Roma children to receive instruction in their native language;**

**(*c*) Increasing the availability of schoolbooks in the Romani language; and**

**(*d*) Organizing special training for teachers to increase their knowledge about the culture and traditions of Roma and to raise their sensitivity to the needs of Roma children.**

**216. The Committee requests the State party to address the root causes of the high number of children who are removed from their families and placed in institutions or foster homes in the State party, with a view to adopting all necessary measures to ensure, insofar as possible, the**

maintenance of the links between the child and his/her parent(s). The Committee also requests the State party to provide in its next periodic report disaggregated data on an annual basis on the number and ethnic origin of children placed in institutions or foster homes, the average period of placement, the reasons for such placement, and the measures taken to reunite children with their biological parents.

217. The Committee requests the State party to provide information on whether the several bodies established in the State party with a mandate to promote and protect human rights - including economic, social and cultural rights - have been established in accordance with the Paris Principles (General Assembly resolution 48/134, annex, of 20 December 1993).

218. The Committee encourages the State party to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

219. The Committee also encourages the State party to consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

220. The Committee invites the State party to update its core document in accordance with the harmonized guidelines for the preparation of a common core document (HRI/MC/2006/3).

221. The Committee requests the State party to disseminate the present concluding observations widely among all levels of society and to inform the Committee on all steps taken to implement them in its next periodic report. It also encourages the State party to continue engaging non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.

222. The Committee requests the State party to submit its sixth periodic report by 30 June 2010.

## NEPAL

223. The Committee on Economic, Social and Cultural Rights considered the second periodic report of Nepal on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/NPL/2) at its 3rd, 4th and 5th meetings (E/C.12/2007/SR.3-5), held on 1 and 2 May 2007, and adopted, at its 26th meeting, held on 16 May 2007 (E/C.12/2007/SR.26), the following concluding observations.

### A. Introduction

224. The Committee notes with satisfaction the second periodic report of the State party, which was submitted in a timely manner and was in general, prepared in conformity with the Committee's guidelines, as well as the written replies to the Committee's list of issues (E/C.12/Q/NPL/2).

225. The Committee appreciates the open and constructive dialogue held with representatives of the State party and the answers to the questions raised by the Committee. Similarly, the Committee appreciates the written replies to its list of issues as well as to the specific questions raised by the Committee in its previous concluding observations. The Committee regrets however, that the information provided was, in some cases, not sufficiently detailed to advance its understanding of the level of enjoyment of the rights provided for in the Covenant.

## B. Positive aspects

226. The Committee welcomes the significant progress made over the past year towards achieving peace and stability in the State party, notably the reinstatement of the House of Representatives in April 2006, the conclusion of a Comprehensive Peace Accord (CPA) between the Government and the Communist Party of Nepal-Maoist in November 2006, the measures it has subsequently taken to transform Nepal into a secular State, as well as the adoption of an Interim Constitution in January 2007 which incorporates many economic, social and cultural rights.

227. The Committee notes with satisfaction that the Interim Constitution has elevated the National Human Rights Commission to a constitutional body, and that the National Human Rights Action Plan has been renewed for a further three years.

228. The Committee welcomes the improved institutional arrangements in the State party for monitoring the implementation of the Covenant. It also welcomes the establishment of the National Women's Commission as a statutory body.

229. The Committee welcomes the measures taken by the State party to abolish discrimination on the basis of caste and feudal practices detrimental to the enjoyment of economic, social and cultural rights of traditionally marginalized groups, including the Dalit, Kamaiya, Madhesi, Tharu and others. In this regard, it welcomes the prohibition of untouchability and other discrimination on the basis of caste in the Interim Constitution and the enactment of the Bonded Labour (Prohibition) Act of 2002.

230. The Committee notes with satisfaction the measures, legislative or otherwise, taken to provide for equality between women and men, in particular the amendment of the Country Code to abolish discrimination in inheritance matters.

231. The Committee welcomes the ratification in 2002 by the State party, of the ILO Convention No. 29 (1930) on Forced Labour and Convention No. 182 (1999) on the Worst Forms of Child Labour, and the endorsement, on 28 August 2006, by the House of Representatives, of a resolution directing the Government of Nepal to ratify the ILO Convention No. 169 (1989) on Indigenous and Tribal Peoples.

## C. Factors and difficulties impeding the implementation of the Covenant

232. The Committee takes note that the State party's efforts to comply with some of its obligations under the Covenant are impeded by the consequences of the divisive and violent conflict, namely a large number of victims and families of victims, a large number of displaced persons, and a severely damaged physical infrastructure that hinders the mobility of persons, goods and essential public services.

## D. Principal subjects of concern

233. The Committee regrets that most of its 2001 recommendations in relation to the initial report have not been implemented, and that the State party has not addressed in an effective manner the following principal subjects of concern, which continue to be relevant:

- The extent of poverty in Nepal, in particular in rural areas where poverty and discrimination against women are most pronounced, and the lack of disaggregated data on the incidence and depth of poverty
- The continuing inequalities that exist between men and women in Nepali society, despite legislative guarantees of equality, as reflected in the low representation of women in public service, the high female illiteracy rate and the unequal wages for equal work
- The large number of women and girls being trafficked for prostitution, and the absence of a demonstrably effective response from the State party with regard to this practice
- The high rate of domestic violence and the absence of specific legislation in this field
- The high unemployment and underemployment rates in Nepal and the lack of skills-oriented education
- The problems faced by emancipated Kamaiyas, including lack of housing, land, work, and education for their children
- The inadequacy of the legal minimum wage to provide an adequate standard of living for workers and their families, in particular in the agricultural sector
- The high incidence of child labour in Nepal, especially in rural areas

234. The Committee notes with concern the absence of Commissioners in the National Human Rights Commission, which has created a serious gap in the protection and promotion of human rights in the State party. The Committee also notes with concern that there is no provision in the Interim Constitution dealing with the financial autonomy of the Commission.

235. The Committee notes with concern that, in spite of the provisions in the Interim Constitution prohibiting caste-based discrimination, such discrimination persists with impunity. The Committee is particularly concerned about the obstacles that victims of caste-based discrimination reportedly face in accessing justice.

236. The Committee notes with concern that in many parts of Nepal, internally displaced persons (IDPs) have not been allowed to return to their homes in safety or to fully integrate where they are currently residing. In many cases, the property and land of these persons have not been returned to them, contrary to the November 2006 Comprehensive Peace Agreement. The Committee also notes with concern that the ambiguous criteria for identifying genuine IDPs have resulted in a lack of protection against displacement and discrimination as concerns compensation and assistance.

237. Although certain harmful traditional practices have been prohibited by law, the Committee expresses its continuing concern about the persistence of such practices that violate the rights of women and girls as *deuki* (dedicating girls to a god or goddess), *badi* (widespread practice of prostitution among the Badi caste), *chaupadi* (isolating a woman during menstruation because

she is considered to be impure), marrying child brides, and witchcraft. In this regard, the Committee regrets the lack of information contained in the State party's second periodic report about the full extent of such practices and the efforts being made to eradicate them.

238. The Committee notes with deep concern the harsh conditions of women living in rural areas, especially those whose conditions have been exacerbated by the conflict, including Tharu women who have found themselves widowed as a result of the death or disappearance of their spouses during the conflict.

239. The Committee is concerned about the reportedly high rates of unemployment and underemployment. In this regard, it regrets not having received the information requested in its list of issues about the situation, level and trends in employment, unemployment and underemployment for particular categories of workers, which is essential for an assessment of compliance with article 6 of the Covenant.

240. The Committee is concerned that, in spite of the abolition in 2002 of the system of bonded labour, there are still significant difficulties faced by the freed bonded labourers regarding their access to work and livelihood and appropriate education for their children. The Committee is also concerned that the lack of employment opportunities in the State party hinders the advancement from feudal relations to relations based on equality, particularly for ex-Kamaiyas and ex-Haliyas, many of whom have returned to the same condition of bonded labour from which they were supposedly freed.

241. The Committee is concerned that despite the efforts of the State party to abolish the worst forms of child labour, the prevalence of child labour remains high, particularly in hazardous conditions of work in agriculture and in manual crafts and in industrial work, domestic work, and ragpicking. The Committee notes with grave concern that children continue to work in conditions of bonded labour.

242. The Committee is concerned that the official minimum wage has been set at a level too low to enable workers and their families to enjoy an adequate standard of living. Furthermore, the Committee is concerned that the official minimum wage is applicable only in the formal sector and is not applied to the agricultural sector, in which three-quarters of the labour force is employed.

243. The Committee is deeply concerned that, in spite of the State party's progress made in its Ninth Development Plan to reduce poverty, there remains a high level of poverty in the State party where over 30 per cent of the population lives under the official poverty line. The Committee also regrets the absence of detailed annual data on the incidence and depth of poverty, disaggregated by gender, caste, ethnicity and region, as requested in the list of issues prepared by the Committee in relation to the State party's second periodic report.

244. The Committee is deeply concerned that as much as a quarter of the population is undernourished. The seasonal food deficits experienced in most of the mountain and hill districts by the majority who are farmers engaged in low-productivity subsistence farming on small plots of land, are exacerbated by the rigid social structures that prevent the lower castes from benefiting from communal lands and public services and from engaging in other kinds of

**business activities. Freed bonded labourers, often denied work by the landlords from whom they were freed and unable to claim their entitlements under the Land Reform Act and other programmes intended to help them adjust to free life, are particularly vulnerable to food insecurity.**

**245. The Committee is concerned that although the right to shelter is enshrined in the Interim Constitution of the State party, there is no national housing policy which particularly addresses the needs of the rural poor and the disadvantaged and marginalized individuals and groups by providing them with low-cost housing units.**

**246. The Committee is concerned by the denial of access of persons belonging to the lower castes to public wells, thereby directly threatening their right to an adequate standard of living and their right to the highest attainable standard of health.**

**247. The Committee is concerned that a significant number of the population continues to have limited or no access to health services, resulting in alarmingly high rates of maternal and infant mortality. The Committee is also concerned about the lack of information on the extent of mental health problems, particularly in relation to persons affected by the conflict.**

**248. The Committee is deeply concerned that the inadequate number, quality, staffing and supplies of health posts and the cost of reproductive health services continue to place women at risk, and that traditional attitudes among some castes and ethnic groups contribute to reproductive health problems of women.**

**249. The Committee is concerned that in practice primary education is not completely free due to various fees charged to parents, such as for school supplies and uniforms. The Committee notes with concern that the State party has yet to adopt a policy of compulsory education. It further notes the great disparity in enrolment in primary schools between girls and boys and between the Brahmin and other castes, ethnic or indigenous groups, the high repeat and dropout rate among pupils, and the generally low quality of education in public schools.**

**250. The Committee regrets the lack of clarification about the criteria used by the National Foundation for Development of Indigenous Nationalities to recognize officially indigenous nationalities and about the implications of official recognition.**

## E. Suggestions and recommendations

**251. The Committee encourages the State party to strengthen its cooperation with the Office of the High Commissioner for Human Rights.**

**252. The Committee requests the State party to provide in its next periodic report detailed, updated information including disaggregated data on a comparative basis, on the effective measures undertaken to implement its treaty obligations. The Committee urges the State party to ensure that, in the Constitutional process currently under way, all sectors of society, including disadvantaged and marginalized groups, in particular the Dalit, the Madhesi and indigenous communities, and especially women within these groups, are represented in decision-making bodies at all levels. It recommends that concrete and active efforts be made to promote the participation of these groups in the Constituent Assembly, which, following the election of its members in 2007, will embark on the drafting of a new Constitution.**

253. The Committee recommends that the State party establish a transparent appointment process of Commissioners in the National Human Rights Commission to enable the Commission to have full institutional capacities in accordance with the Paris Principles (General Assembly resolution 48/134 of 20 December 1993, annex). In this regard, the Committee draws the attention of the State party to its general comment No. 10 (1998) on the role of national human rights institutions in the protection of economic, social and cultural rights.

254. The Committee recommends that a thorough review of national laws be undertaken with a view to identifying and rectifying all provisions that directly or indirectly permit discrimination on the basis of caste and multiple discrimination of women from certain groups. It urges the State party to strengthen its efforts to make widely known the prohibition of such discrimination and to improve effectively access to judicial and administrative remedies in cases of alleged violations. The Committee further recommends that special units be established to monitor the implementation of programmes to protect and promote the full enjoyment without discrimination of their economic, social and cultural rights by disadvantaged and marginalized groups, in particular the Dalit, the Madhesi and indigenous communities, and especially women within these groups.

255. The Committee urges the State party to implement effectively, the Comprehensive Peace Agreement underlining the safe and sustainable return of all internally displaced persons (IDPs), particularly in mountain and hill districts where the environment has not been conducive to reintegration. The Committee recommends further that the State party establish an effective strategic plan including a monitoring mechanism, for the safe and dignified return, registration, rehabilitation and reintegration of IDPs.

256. The Committee urges the State party to strictly enforce the law prohibiting harmful practices that violate the rights of women and girls such as *deuki*, *badi*, *chaupadi*, marrying child brides and witchcraft. The Committee requests that the State party provide detailed information on the extent of these practices and the measures being taken to strictly enforce its laws for the protection of women and girls from such harmful practices.

257. The Committee urges the State party to adopt without delay specific legislation on domestic violence without delay defining these acts as a specific offence, and to undertake a major information campaign to raise awareness about such legislation. It further urges the State party to take measures to develop procedures and educate law enforcement officials, judges, lawyers, social workers and medical professionals to enable them to protect effectively victims of domestic violence.

258. The Committee encourages the Government to provide adequate and immediate assistance, in particular through special temporary measures, to alleviate the adverse impact of the conflict on women, including poverty and loss of income, social stigma, and insecurity of tenure resulting from unclear property rights due to the unknown fate of the missing spouses.

259. The Committee recommends that the State party strengthen its efforts to promote labour-intensive industries and increase productivity in the agricultural sectors. The Committee also recommends that special programmes for ex-Kamaiyas and ex-Haliyas, Dalits, indigenous persons and groups, and particularly women belonging to these groups, be expanded in the rural areas as a matter of priority.

260. The Committee recommends that the State party continue to address the situation of children engaged in the worst forms of child labour, with the assistance of the International Labour Organization. The Committee recommends that measures to rehabilitate affected children, to monitor their work conditions and their living conditions following removal from such work, be strengthened and significantly expanded to cover all children engaged in the worst forms of child labour.

261. The Committee urges that the minimum wage be set at a sufficient level to enable workers and their families to enjoy an adequate standard of living. The Committee encourages the State party to carry out periodic reviews of the minimum wage. It further requests information in the next report about the methodology for the calculation of the minimum wage.

262. While noting that Nepal is a low income country and its resources are correspondingly limited, the Committee reminds the State party that it is obliged to comply with its Covenant obligations to the maximum of its available resources. In this regard, the Committee refers the State party to its recent statement on the evaluation of the obligation to take steps to the "maximum of available resources" under an Optional Protocol to the Covenant (E/C.12/2007/1).

263. The Committee also recommends that specific mechanisms and procedures be established to monitor the implementation of such strategies and evaluate the progress achieved in combating poverty effectively, including among the most disadvantaged and marginalized groups.

264. The Committee recommends that the State party take urgent steps to ensure food security and access to water for all, particularly those who belong to the most disadvantaged and marginalized groups. It recommends that agricultural policies aim effectively at improving not only productivity and commercialization but also access and distribution. In this regard, the Committee urges that specific measures be implemented with a view to enhancing the participation of the lower castes in the production, distribution and consumption of food. The Committee requests the State party to provide in its third periodic report detailed information about the extent of food insecurity, the groups most vulnerable to it, and the concrete measures envisaged to address it. In this regard, the Committee draws the attention of the State party to its general comment No. 12 (1999) on the right to adequate food and general comment No. 15 (2002) on the right to water.

265. The Committee recommends the immediate application of the Interim Constitution and laws prohibiting caste-based discrimination and segregation in cases of denial of access to public water sources. It recommends that access to public wells be closely monitored by the District Development Committees or by another appropriate local body.

266. The Committee recommends that the State party adopt a national housing policy by providing low-cost housing units for the rural poor and the disadvantaged individuals and groups.

267. The Committee recommends that higher priority be accorded to reducing maternal and infant mortality rates and that due consideration be given to the need for integrating into the general health-care system, mental health services and programmes aimed at preventing and

treating HIV/AIDS. The Committee stresses that the right to the highest attainable standard of health encompasses mental as well as physical health and the importance of mental health care, particularly in relation to persons affected by the conflict.

268. The Committee recommends that as part of the general improvement in the national health-care system, physical and economic access to reproductive health care and contraceptives be given high priority, particularly in rural areas, and that specific measures be taken to enable women to give birth in the care of trained health-care professionals.

269. The Committee calls upon the State party to introduce not only free but also compulsory education, in conformity with articles 13 and 14 of the Covenant, and to specify in its third periodic report by when it plans to achieve this, as well as concrete benchmarks through which progress can be measured. In this regard, the Committee refers the State party to its general comment No. 11 (1999) on plans of action for primary education, and general comment No. 13 (1999) on the right to education. It further urges that human rights be introduced at all levels of education, both as a subject and as a methodology of instruction, reflecting values of participation and social inclusion. The Committee stresses the value of education as a tool for national reconciliation, the eradication of harmful feudal practices, the promotion of respect for the dignity of all persons and groups, as well as the building of skills to enhance future employment prospects.

270. The Committee recommends that the State party include in its third periodic report detailed information about criteria used to recognize officially indigenous nationalities and about the implications thereof.

271. The Committee requests the State party to include in its next periodic report a specific section on the results of the measures taken to combat discrimination and enhance respect, protection and fulfilment of all economic, social and cultural rights. The Committee further requests the State party to include in its next periodic report, annual data, disaggregated by caste, ethnicity and sex, as well as specific benchmarks, to enable adequate monitoring and evaluation of the progress achieved.

272. The Committee requests the State party to disseminate the present concluding observations widely among all levels of society, particularly among government officials and judicial authorities and to inform the Committee on the steps it has taken to implement them in its next periodic report. The Committee also encourages the State party to engage non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.

273. The Committee invites the State party to update its core document in accordance with the 2006 harmonized guidelines on a common core document (HRI/GEN/2/Rev.4).

274. The Committee encourages the State party to consider ratifying the Convention on the Rights of Persons with Disabilities. The Committee also encourages the State party to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

275. Finally, the Committee requests the State party to submit its third periodic report by 30 June 2011 and to include in that report, detailed information on the steps it has undertaken to implement the recommendations contained in the present concluding observations.

## NETHERLANDS (ANTILLES)

276. The Committee on Economic, Social and Cultural Rights considered the third periodic report of the Kingdom of the Netherlands concerning the Netherlands Antilles on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/ANT/3) at its 9th and 10th meetings, held on 4 May 2007 (E/C.12/2007/SR.9 and 10), and adopted the following concluding observations at its 21st, 22nd and 23rd meetings, held on 14 and 15 May 2007.

### A. Introduction

277. The Committee welcomes the submission of the third periodic report of the State party on the Netherlands Antilles, which was prepared in accordance with the Committee's guidelines and contains practical information on the implementation of the Covenant. It also welcomes the written replies to its list of issues (E/C.12/ANT/Q/3/Add.1) but regrets that these replies were not submitted sufficiently in advance to be translated into the working languages of the Committee. The Committee notes the open and constructive dialogue established with the State party's delegation and the efforts made by the delegation to respond orally to the questions asked.

### B. Positive aspects

278. The Committee notes with satisfaction that measures have been taken to introduce provisions criminalizing domestic violence in the new Criminal Code of the Netherlands Antilles.

279. The Committee welcomes the incorporation into labour legislation, in 2000, of new protective provisions for workers, particularly in the event of illness, pregnancy and maternity, and of participation in trade union activities.

280. The Committee welcomes the measures aimed at increasing the length of compulsory education and combating school dropout.

281. The Committee notes with satisfaction the recent decision of the authorities to include Papiamento as an official language of the Netherlands Antilles, in addition to Dutch and English.

### C. Factors and difficulties impeding the implementation of the Covenant

282. The Committee notes the absence of any significant factors or difficulties impeding the effective implementation of the Covenant in the State party.

### D. Principal subjects of concern

283. The Committee notes with concern that the various authorities of the Netherlands Antilles are not fully aware of the importance of the international obligations arising from the Covenant.

284. The Committee regrets that little progress has been made in regard to the direct applicability of the rights set out in the Covenant. It takes note of the information that these rights may only be applied directly by the national courts to the extent that the courts deem such application to be possible. The Committee is concerned that the State party thus considers that most economic, social and cultural rights are not directly applicable. The Committee furthermore regrets the fact that it was not provided with any examples.

285. The Committee is concerned by the high unemployment rate in the Netherlands Antilles, particularly the unemployment rate among young people, which amounted to 37 per cent in 2006.

286. The Committee regrets not having received specific information about measures such as the abolition of the obligation for most industries in Curaçao to obtain dismissal permits, increased flexibility in working hours and the introduction of short-term employment contracts, and about the impact of these measures on the employment situation.

287. The Committee regrets not having received sufficient information as to whether the minimum wage provides workers and their families with a decent living.

288. The Committee is concerned at the absence of legislative or other measures adopted in the Netherlands Antilles with a view to securing the right to equal pay for equal work. The Committee is concerned by the significant differences between the average wage of men and women, with women earning about 27.4 per cent less than men. It notes with concern that the Netherlands Antilles does not regard this situation as discriminatory against women.

289. The Committee notes that the right to strike is recognized in the State party, but regrets that the State party has not clarified the reasons for maintaining its reservation to article 8 (1) (d) of the Covenant in respect of the Netherlands Antilles.

290. The Committee regrets that it has not received disaggregated data (by sex and age) on the various categories of workers covered by the social security system or information on the measures taken to extend this protection to those excluded from it. It is concerned by reports that the percentage of the population covered by social security is very low.

291. The Committee is concerned that social security benefits are insufficient to enable the recipients to combat poverty. The Committee is also concerned by reports that social assistance is not provided to all those who need it so as to ensure an adequate standard of living.

292. The Committee expresses concern at the particularly difficult situation of single-parent families, who do not receive adequate assistance.

293. The Committee is concerned by reports that day-care services remain inadequate, particularly on the Netherlands Windward Islands.

294. The Committee is concerned that only civil servants and teachers are entitled to family benefits.

295. The Committee is deeply concerned at the reportedly high incidence of early pregnancies in the Netherlands Antilles, which have adverse effects on the right of adolescent girls to education and health. The Committee is also concerned by abortion rates among adolescents. It regrets that the State party has not provided sufficient information on the measures taken to address these matters.

296. The Committee is concerned at the absence of any common system for registering cases of sexual exploitation and other abuse against children in the Netherlands Antilles, which makes any assessment of the situation difficult. It furthermore expresses concern at the lack of specific information on the legal protection of boys against sexual exploitation, particularly regarding criminal provisions relating to rape.

297. The Committee notes with concern that, despite assurances by the authorities of the Netherlands Antilles that combating poverty is one of their priorities, an official poverty line showing the extent of poverty in the Netherlands Antilles has not yet been established. The Committee is further concerned that economic, social and cultural rights have not yet been incorporated into the poverty reduction programmes of the Netherlands Antilles.

## E. Suggestions and recommendations

298. The Committee again draws the attention of the State party to its general comment No. 3 (1990) on the nature of States parties' obligations, and invites it to re-examine the question of the possibility of directly applying the provisions of the Covenant. It recommends that specific training concerning the justiciability of economic, social and cultural rights and the possibilities for direct application of the rights set out in the Covenant be organized for judges and lawyers.

299. The Committee recommends that the State party fully incorporate economic, social and cultural rights into the new Constitution of Curaçao, on an equal footing with civil and political rights.

300. The Committee recommends the establishment of an independent human rights institution in the islands of the Netherlands Antilles. It also recommends the adoption and implementation of an action plan for human rights which fully takes into account the rights set out in the Covenant.

301. The Committee recommends the adoption, in the near future, of an ordinance on equality of treatment in the Netherlands Antilles.

302. The Committee recommends the adoption of measures providing effective and adequate protection for the economic, social and cultural rights of asylum-seekers and refugees.

303. The Committee recommends that the State party bring into force and implement effectively, at an early date, the provisions criminalizing domestic violence which are to be incorporated into the new Criminal Code.

304. The Committee urges the State party to intensify its efforts to combat unemployment by carrying out targeted programmes, particularly for young people. Detailed information on the effectiveness of the adoption of such measures should be included in the next periodic report, along with statistical data on unemployment disaggregated on a comparative basis.

305. The Committee recommends that the State party assess the impact of amendments to labour legislation on workers' rights in the light of articles 6 and 7 of the Covenant and of general comment No. 18 (2005) concerning the right to work (art. 6).

306. The Committee recommends that the various minimum wages be sufficiently high to provide workers and their families with a decent living, in accordance with article 7 (a) (ii) of the Covenant, and would like to receive further information in this regard in the next report. The Committee also encourages the State party to completely eliminate differences between the various categories of minimum wage at an early date.

307. The Committee urges the State party to take all necessary steps, including legislative measures, to ensure immediate implementation of the principle of equal pay for equal work. In this regard, it draws the attention of the State party to its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights (art. 3).

308. The Committee recommends that the State party give more serious consideration to withdrawing the reservation to article 8 (1) (d) of the Covenant.

309. The Committee recommends that the State party take all necessary steps to guarantee the right of everyone to social security. The State party should conduct a thorough study on persons excluded from the social security system, indicating the reasons for their exclusion and the results of steps taken to address this situation, and include the study in the next periodic report.

310. The Committee encourages the State party to provide social assistance to all those who need it, in particular the most disadvantaged persons and groups, so that they may attain an adequate standard of living.

311. The Committee recommends that the State party adopt specific protection measures for single-parent families, including family benefits, day-care services and financial assistance, in order to ensure their right to an adequate standard of living, adequate protection and education for their children.

312. The Committee urges that a national policy on day-care services be adopted. Such a policy should endeavour to ensure that these services are available in sufficient number throughout the islands of the Netherlands Antilles.

313. The Committee encourages the State party to broaden the categories of persons covered by family benefits so that all families with dependent children may receive them.

314. The Committee requests the State party to provide detailed information, including statistics, on early pregnancies and abortions among adolescents, and on the measures taken to address these matters.

315. The Committee recommends that the State party take measures to protect children, including boys, against sexual exploitation, violence and all other forms of abuse. A common system for registering cases of mistreatment should be established in the Netherlands Antilles.

316. The Committee recommends that an official poverty line be established in the Netherlands Antilles and economic, social and cultural rights be incorporated into poverty reduction programmes set up in the Netherlands Antilles. In this connection, the Committee refers the State party to its statement on "Poverty and the International Covenant on Economic, Social and Cultural Rights" (E/C.12/2001/10).

317. The Committee encourages the State party to continue its efforts to combat school dropout.

318. The Committee requests that the next periodic report provide it with more precise information on the ethnic make-up of the population of the Netherlands Antilles and on the enjoyment of cultural rights by persons and groups.

319. The Committee calls upon the State party to translate the Covenant and the present concluding observations into Papiamento and Dutch and publicize them widely among all sectors of society, in particular civil servants and members of the judiciary, and to give details in its next periodic report of all it has done to respond to them. It also encourages the State party to involve non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.

320. The Committee invites the State party to update its core document in keeping with the requirements of the harmonized reporting guidelines relating to the common core document (HRI/GEN/2/Rev.4), as recently adopted by the international human rights treaty bodies.

321. The Committee reminds the State party that its fourth periodic report is due for submission by 30 June 2007. Taking into account, however, that the report on the Netherlands Antilles was considered in May 2007, the Committee decides to extend this deadline. The State party is requested to submit its fourth periodic report on the various territories making up the Kingdom of the Netherlands by 30 June 2008, and to include in that report detailed information on the steps taken to implement the recommendations contained in the present concluding observations.

*Thirty-ninth session*

## BELGIUM

322. The Committee on Economic, Social and Cultural Rights considered the third periodic report of Belgium on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/BEL/3) at its 41st, 42nd and 43rd meetings, held on 12 and 13 November 2007 (E/C.12/2007/SR.41-43), and adopted, at its 54th and 55th meetings held on 20 and 21 November 2007 (E/C.12/2007/SR.54-55) the following concluding observations.

### A. Introduction

323. The Committee welcomes the submission of the third periodic report of Belgium, and the written replies to its list of issues. The Committee also welcomes the open and constructive dialogue with the delegation of the State party, composed of experts in the various fields covered by the Covenant, as well as of two representatives from community and regional governments of the State party.

## B. Positive aspects

324. The Committee welcomes the active involvement of civil society organizations in the preparation of the State party's periodic report and in the consultation regarding the follow-up on the Committee's concluding observations and recommendations on the previous report.

325. The Committee also welcomes the efforts recently undertaken by the State party to combat discrimination, including the adoption of new laws on 10 May 2007 establishing a comprehensive framework to prevent and punish all forms of discrimination.

326. The Committee notes with satisfaction the high quality, comprehensiveness and almost universal coverage of the social security and health-care systems existing in the State party.

327. The Committee also notes with satisfaction the low tuition fees applied in the university education system of the State party.

328. The Committee welcomes the ratification by the State party of the Revised European Social Charter and the Additional Protocol to the European Social Charter Providing for a System of Collective Complaints.

329. The Committee notes with satisfaction that the State party has indicated its support for an optional protocol to the Covenant.

## C. Factors and difficulties impeding the implementation of the Covenant

330. The Committee notes the absence of any factors or difficulties preventing the effective implementation of the Covenant in Belgium.

## D. Principal subjects of concern

331. The Committee notes that the lack of detailed information concerning the practical results of the various legislative and policy measures adopted by the competent authorities and the uneven information concerning the efforts made at the federal, regional and community levels have not allowed it to assess fully the progress made and the difficulties encountered by the State party in the implementation of the Covenant.

332. The Committee reiterates its concerns expressed in paragraph 5 of its previous concluding observations (E/C.12/1/Add.54) relating to the lack of appropriate and effective mechanisms to ensure compliance, at the federal, regional and community levels, with the State party's obligations under the Covenant.

333. The Committee notes with concern that the vast majority of the Covenant provisions, as well as some of the provisions of article 23 of the Constitution of the State party, which enumerates a number of economic, social and cultural rights but leaves it to national legislation regarding its implementation, do not have direct legal effect under national law, and are therefore rarely invoked separately before, and directly enforced by, national courts and other tribunals or administrative authorities.

334. The Committee notes that despite the existence of several bodies with a mandate to promote and protect human rights, including economic, social and cultural rights, no independent national human rights institution established in accordance with the Paris Principles (General Assembly resolution 48/134 of 20 December 1993, annex) exists in the State party.

335. The Committee notes that despite the measures adopted by the State party to enhance its legal and institutional mechanisms aimed at combating racial discrimination, de facto discrimination against foreigners and persons belonging to ethnic and national minorities, in particular migrant workers and members of their families, members of the Muslim community and Roma, is still widespread among some sectors of the population, especially in the fields of employment, housing and access to public places such as restaurants and bars.

336. The Committee remains concerned about the high unemployment rates among women, the persistent wage differentials between men and women and the low percentage of women in high-ranking posts in many areas, including in the public administration and university teaching posts.

337. The Committee remains concerned that despite the measures adopted by the State party to increase employment opportunities for young persons, persons over 55 years of age and foreign residents, the unemployment rates of persons belonging to these groups continue to be considerably higher than the European Union average rate.

338. The Committee notes with concern the significant obstructions to the exercise of the right to strike, arising from the practice of employers to start legal proceedings in order to obtain a ban on certain strike-related activities, as well as from the possibility that workers may be dismissed as a result of their participation in a strike.

339. The Committee notes that although violence between partners constitutes an aggravating circumstance for certain crimes referred to in the Criminal Code of the State party, domestic violence is still not regarded as a specific offence under the criminal legislation of the State party.

340. The Committee notes that corporal punishment of children within the family has not yet been included in the Criminal Code as a specific offence.

341. The Committee remains concerned, in spite of the various initiatives undertaken by the State party to increase the supply of social housing units, about the continuing shortage of social housing units for low-income households and other disadvantaged and marginalized individuals and groups, and about the continuing increase of rents in the private rental sector.

342. The Committee notes with concern that access to health-care facilities, goods and services for persons belonging to vulnerable and disadvantaged groups, such as undocumented migrant workers and members of their families, is limited to access to urgent medical care.

343. The Committee remains concerned about the persistent divergences in terms of performance existing in the educational system of the State party and the lack of adequate mechanisms aimed at ensuring uniformity in the application of educational standards.

344. The Committee is concerned about the lack of official recognition of minorities within the territory of the State party.

## E. Suggestions and recommendations

345. Bearing in mind the provisions of article 28 of the Covenant, the Committee reiterates that the principal responsibility for its implementation lies with the Federal Government of the State party. The Committee therefore urges the Federal Government of the State party to establish appropriate and effective mechanisms at the federal, regional and community levels to ensure the implementation of the Covenant.

346. The Committee draws the attention of the State party to its general comment No. 9 (1998) on the domestic application of the Covenant, and recommends, as already mentioned in paragraph 20 of its previous concluding observations, that the State party take all appropriate steps in accordance with article 2, paragraph 1, of the Covenant, to guarantee the direct applicability of the Covenant provisions in its domestic legal order. The Committee also requests that the State party provide detailed information about the measures adopted in its next periodic report.

347. The Committee recommends that the State party consider the establishment of an independent national human rights institution in accordance with the Paris Principles.

348. The Committee, while noting with satisfaction that the State party already devotes 0.5 per cent of its gross domestic product (GDP) to official development assistance (ODA), recommends that the State party increase its official development assistance to 0.7 per cent of its GDP, as recommended by the United Nations, and continue to strengthen its activities in the area of international cooperation.

349. The Committee recommends that the State party continue strengthening its legal and institutional mechanisms aimed at combating discrimination. The Committee requests the State party to include in its next periodic report detailed information on the outcomes of the initiatives undertaken to fight racism and xenophobia and to enhance tolerance and respect for foreigners and members of ethnic and national minorities, as well as updated data on the number of prosecutions and convictions for crimes motivated by ethnicity.

350. The Committee recommends that the State party continue strengthening its efforts towards the enhancement of equality between men and women in the workplace. The Committee requests the State party to include in its next periodic report detailed information on the measures undertaken to improve the employment rate of women, reduce wage differentials between men and women and increase the percentage of women in high-ranking posts, in the public as well as in the private sector.

351. The Committee encourages the State party to intensify its efforts to reduce unemployment rates of young persons, persons over 55 years of age and foreign residents by specifically targeted measures, including vocational and reorientation training opportunities, career guidance and tax incentives for companies hiring persons belonging to these target groups. The Committee requests the State party to include in the next periodic report detailed information, including disaggregated statistical data, on the results of the measures taken to improve employment opportunities for persons belonging to these groups.

352. The Committee urges the State party to ensure the correct implementation by employers of its legislation on the right to strike, so as to guarantee its consistency in law and practice with the provisions of article 8 of the Covenant.

353. The Committee recommends that the State party adopt specific legislation criminalizing acts of domestic violence. The Committee also requests that the State party include in its next periodic report detailed information on the measures adopted by the State party to prevent violence against women, as well as information on the number and nature of reported cases of domestic violence, on convictions and the types of sanctions imposed on perpetrators, and on assistance and compensation provided to victims.

354. The Committee recommends that the State party adopt specific legislation prohibiting all forms of corporal punishment of children within the family.

355. The Committee recommends, in line with its general comment No. 4 (1991) on the right to adequate housing, that the State party adopt all appropriate measures at the federal, regional and community levels to ensure access to adequate housing for low-income households and other disadvantaged and marginalized individuals and groups, inter alia, by allocating adequate resources to increase the supply of social housing units for them, by providing them with appropriate forms of financial support, such as rental subsidies, and by ensuring that the rent charged in respect of dwellings is in relation to their quality.

356. Taking into account general comment No. 14 (2000) on the right to the highest attainable standard of health, the Committee urges the State party to adopt all appropriate measures to ensure that persons belonging to vulnerable and disadvantaged groups, such as undocumented migrant workers and members of their families, have access to adequate health-care facilities, goods and services, on an equal basis with legal residents of the State party.

357. The Committee is aware of the devolution of exclusive competences in the field of education to the three linguistic communities, but wishes to restate that the Federal Government of Belgium bears the principal responsibility for its implementation of the Covenant at the national level. Accordingly, the Committee urges the State party to adopt all appropriate measures, including the establishment of adequate mechanisms to monitor and ensure uniformity of educational standards, to eliminate divergences in terms of performance existing in the educational system of the State party.

358. Whilst the Committee is aware that the three main linguistic communities are recognized by the Federal Constitution, it recommends that the State party officially recognize the need to protect the cultural diversity of all minority groups residing in its territory, in accordance with the provisions of article 15 of the Covenant. In this regard, the Committee encourages the State party to consider ratifying the Council of Europe Framework Convention for the Protection of National Minorities.

359. The Committee requests the State party to disseminate the present concluding observations widely among all levels of society and, in particular, among State officials, the judiciary and civil society organizations in general, and to inform the Committee on all steps taken to implement them in its next periodic report. It also encourages the State party to continue engaging non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.

360. The Committee encourages the State party to consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

361. The Committee also encourages the State party to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

362. The Committee further encourages the State party to consider ratifying ILO Convention No. 117 (1962) concerning Basic Aims and Standards of Social Policy and Convention No. 118 (1962) concerning Equality of Treatment of Nationals and Non-Nationals in Social Security.

363. The Committee invites the State party to update its core document in accordance with the 2006 harmonized guidelines on a common core document (HRI/GEN/2/Rev.4).

364. The Committee requests the State party to submit its fourth periodic report by 30 June 2010.

## COSTA RICA

365. The Committee on Economic, Social and Cultural Rights considered the combined second, third and fourth periodic report of Costa Rica on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/CRI/4) at its 33rd, 34th and 35th meetings, held on 6 and 7 November 2007 (E/C.12/2007/SR.33, 34 and 35), and adopted, at its 51st meeting, held on 19 November 2007, the following concluding observations.

### A. Introduction

366. The Committee welcomes the submission of the combined second, third and fourth periodic report of the State party, which was generally prepared in conformity with the Committee's guidelines. It regrets, however, the 13-year delay in its submission.

367. The Committee welcomes the frank and constructive dialogue with the State party's delegation and thanks the delegation for the detailed written replies and the additional information provided orally in response to the Committee's numerous questions.

### B. Positive aspects

368. The Committee notes with satisfaction the State party's ratification of relevant international treaties and the adoption of a National Policy for Gender Equality and Equity (PIEG), among other legal and institutional measures, to promote gender equality and combat discrimination against women, in particular in the workplace.

369. The Committee welcomes the recent entry into force of the Act Criminalising Violence Against Women, as well as the implementation of the Comprehensive Care Programme for Domestic Violence and the institutional measures adopted by the State party to offer social, legal and psychological redress to victims of this practice, including safety shelters.

370. The Committee welcomes achievements of the Costa Rican Electrical Institute (ICE) regarding the extent and quality of electrical and telecommunications coverage throughout the

country, with 98 per cent of electrical energy coming from renewable resources. It also welcomes the measures undertaken by the State party to preserve its natural heritage and to address increasing threats to the country's biodiversity, mainly deforestation, agricultural overexploitation of land and pollution of waters, in order to guarantee an adequate standard of living.

371. The Committee notes with satisfaction the State party's efforts to promote further the cultural development for the indigenous population, including the creation of the Department of Indigenous Education in the Ministry of Education, which has contributed to the revival of indigenous languages, as well as the reflection of indigenous culture in school curricula and the adoption of programmes to promote bilingual education in the indigenous language and Spanish.

372. The Committee commends the incorporation of ethics, aesthetics and civics, as well as human rights education, in school curricula.

373. The Committee welcomes the high literacy rate (97 per cent of the population), as well as the sustained legislative, policy and institutional measures adopted by the State party to improve access to and the quality of education, particularly of indigenous communities.

374. The Committee welcomes the establishment of the National Commission on Indigenous Affairs (CONAI).

### C. Factors and difficulties impeding the implementation of the Covenant

375. The Committee notes the absence of any significant factors or difficulties preventing the effective implementation of the Covenant in the State party.

### D. Principal subjects of concern

376. The Committee notes that the State party has not provided enough case law to demonstrate that the provisions of the Covenant are consistently applied in practice, in spite of the fact that, according to article 7 of the Constitution of Costa Rica, international human rights treaties take precedence over domestic legislation, including constitutional provisions, and can be directly invoked in the courts.

377. The Committee notes with concern that racial discrimination is not criminalized as a specific offence and is only punished by a fine.

378. The Committee notes with concern that CONAI does not fully represent the interests of all indigenous populations.

379. The Committee regrets that indigenous communities and Afro-descendants suffer from higher levels of poverty and unemployment than the national average. Additionally, indigenous communities suffer from high illiteracy rates, limited access to water, housing, health and education.

380. The Committee further regrets that indigenous communities are not represented at high-level positions in the public service.

381. The Committee is concerned about the persisting wage gap between men and women and the high unemployment rate among women.

382. The Committee is concerned about disadvantageous working conditions affecting in particular domestic workers, most of whom are migrant women, who are paid the lowest minimum wage, working over eight hours a day with inadequate rest, pensions and vacations.

383. The Committee is concerned about the high proportion of workers in the informal sector, affecting disadvantaged and marginalized groups and individuals, including immigrants and refugees, mainly Nicaraguan and Colombian, as well as ethnic minorities and persons with disabilities. It is further concerned about poor working conditions in rural and remote areas, which contribute to the increasing migration from rural to urban areas.

384. The Committee is concerned about reported cases of harassment, blacklisting and dismissal of trade unionists, in particular in the banana industry, where dismissals of unionized workers in large numbers have been reported. The Committee regrets that the State party has failed to effectively implement the Committee's previous recommendations regarding the incompatibility of restrictions placed on the participation of foreigners in trade unions with article 8 of the Covenant.

385. The Committee is concerned about the continuing insufficient coverage in the social pension system, particularly for the marginalized and disadvantaged individuals and groups, including domestic, agricultural and migrant workers, despite the progress made in the coverage of the national health system.

386. The Committee regrets that various legal and institutional measures taken by the State party to offer redress to victims of domestic violence have been insufficient to address the increase in domestic violence against women and children.

387. The Committee is concerned about the fact that corporal punishment within the family, in the form of "moderate correction", is still allowed under article 143 of the State party's Family Code.

388. The Committee is deeply concerned about the increase in sexual and commercial exploitation, sex tourism and trafficking in persons, especially women and girls, in the State party, despite institutional measures and plans of action to combat this scourge. The Committee is concerned about the lack of any specific legislation and case law on human trafficking and the lack of disaggregated data on the nature, extent and causes of this phenomenon.

389. The Committee is deeply concerned about the increasingly high rate of teenage pregnancies, in spite of the State party's policies and programmes on sexual and reproductive health, as well as the fact that no exceptions are provided to the general prohibition of abortion.

390. The Committee is concerned that, despite the State party's efforts to address housing shortage, a high percentage of dwellings, especially those inhabited by indigenous peoples, Afro-descendants and migrants, is in poor condition, often without access to drinking water and adequate sanitation, and that many of these communities still live in slums and squats, sometimes on river banks and in other high-risk areas. The Committee is also concerned about the lack of disaggregated data on the number of forced evictions in the State party.

391. The Committee notes with concern the potential impact of the entry into force of the Central American Free Trade Agreement (CAFTA) on the State party's obligations under the Covenant and, in particular, on traditional agriculture, labour rights, access to health, social security and the intellectual property regimes protecting, inter alia, access to generic medicines, biodiversity, water and the right of indigenous communities associated to these resources.

392. The Committee is concerned about the quality of health care provided, in particular in remote and rural areas.

393. The Committee notes with concern that illiteracy rates among indigenous communities remain significantly higher than the national average, despite the State party's adoption of legislation, policies and programmes to make education accessible to those communities.

394. The Committee is concerned about the increase in the percentage of the secondary school dropout rate caused, inter alia, by family disintegration, lack of pedagogical attention and child labour and drug abuse, in spite of its institutional measures and policies adopted in this regard.

395. The Committee is concerned that the budget of the Ministry of Culture, Youth and Sports has drastically decreased in recent years.

### E. Suggestions and recommendations

396. The Committee recommends that the State party ensure that the provisions of the Covenant are directly applicable in the domestic legal order and requests the State party to provide in its next periodic report information on case law regarding the implementation of the Covenant.

397. The Committee urges the State party to ensure that racial discrimination be criminalized as a specific offence and punished according to the seriousness of the crime, that acts of racial discrimination be identified and its perpetrators duly prosecuted, that training be provided to public officials to enhance their awareness in matters of racial discrimination and that campaigns to combat racial discrimination be undertaken to sensitize the public on this issue.

398. The Committee recommends that the State party ensure that the interests of all indigenous communities be fully represented on the board of the National Commission on Indigenous Affairs and that this institution receives sufficient financial and institutional State support necessary for its functioning.

399. The Committee urges the State party to take all appropriate measures to ensure that the levels of poverty, illiteracy and unemployment of indigenous communities and Afro-descendants be reduced and that the indigenous communities have proper access to water, housing, health and education.

400. The State party should take positive measures to promote the increased representation of minorities at high-level positions in the public service.

401. The Committee recommends that the State party strengthen its efforts to promote effectively greater participation of women in the labour market and to ensure equal working conditions, including equal pay for work of equal value.

402. The Committee recommends that the State party take effective measures to improve the situation of domestic workers, in accordance with the provisions of article 7 of the Covenant.

403. The Committee urges the State party to intensify its efforts to reduce unemployment among marginalized and disadvantaged groups and individuals through specifically targeted measures, including by ensuring the strict application of anti-discrimination legislation by the judiciary, local governments and labour offices; introducing and effectively enforcing legal provisions requiring an ethnically balanced workforce in the public and private sectors; and enhancing professional training and sustainable employment opportunities in the remote areas where the indigenous population resides.

404. The Committee invites the State party to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities.

405. The Committee urges the State party to expedite the adoption process of currently proposed reforms of article 60 of the Constitution and to ensure that the right of everyone to form and join trade unions and to take part in trade union activities is respected, in conformity with article 8, paragraph 1 (a), of the Covenant.

406. The Committee calls upon the State party to ensure that social security assistance is provided to all workers, in particular to persons belonging to disadvantaged and marginalized groups. The Committee also encourages the State party to ratify Conventions No. 103 concerning Maternity Protection (Revised, 1952) and No. 118 concerning Equality of Treatment in Social Security, 1962, of the International Labour Organization.

407. The Committee recommends that the State party undertake effective measures to implement existing legislation on domestic violence; that the police, other law enforcement officials and judges be given training to this end; and that information be provided in the next periodic report on the number and outcome of court cases related to domestic violence.

408. The Committee encourages the State party to expedite the adoption of currently existing proposals to amend article 143 of the Family Code and the law providing for an explicit prohibition of all corporal punishment that is currently under consideration.

409. The Committee urges the State party to address effectively sexual and commercial exploitation, sex tourism and human trafficking and recommends the adoption of an amendment to the Act against Commercial Sexual Exploitation for that purpose. The Committee further urges the State party to closely monitor the number of women and children trafficked to, from and through its territory each year and to provide mandatory training on trafficking for the police, prosecutors and judges. The State party is requested to include in its next periodic report updated and disaggregated data on an annual basis on reported trafficking cases, convictions and sentences imposed on perpetrators, the assistance and rehabilitation programmes provided to victims.

410. The Committee urges the State party to take preventive measures to address the problem of the high rate of teenage pregnancies and to provide for exceptions in its law relating to the general prohibition of abortion in cases where the mother's life is in danger (medical indication) or where the pregnancy is the result of rape or incest.

411. The Committee requests the State party to allocate sufficient funds to improving the infrastructure and to increase the availability of social housing, in line with the Committee's general comment No. 4 (1991) on the right to adequate housing. It also urges the State party to ensure that the rights of individuals and groups subject to forced evictions are safeguarded and that adequate alternative housing is provided, in accordance with the Committee's general comment No. 7 (1997) on forced evictions, and to include disaggregated data on the number of forced evictions and arrangements for alternative housing in its next periodic report.

412. The Committee recommends that the State party undertake the measures necessary to assess the potential adverse impact of its commitments under CAFTA on economic, social and cultural rights and to ensure that Covenant rights, in particular labour rights, access to health, social security and generic medicines and the intellectual property regimes are not adversely affected.

413. The Committee recommends that the provision of health-care facilities, goods and services in remote and rural areas be improved and that disaggregated annual data in this respect be provided in its next periodic report.

414. The Committee encourages the State party to continue to improve the effective implementation of currently existing legislation, policies and programmes to eliminate illiteracy among indigenous communities.

415. The Committee recommends that the State party intensify its efforts to combat secondary school dropout rate. The State party should also implement existing programmes to improve the quality of teaching in secondary schools.

416. The Committee encourages the State party to improve the quality of university teaching and to ensure that public universities perform as a mechanism for social mobility.

417. The Committee recommends that the State party take all appropriate measures to ensure the full implementation of the present recommendations, inter alia by transmitting them to the Council of Ministers and Parliament for appropriate consideration and further action.

418. The Committee further requests the State party to disseminate the present concluding observations widely among all levels of the society and, in particular, among State officials, the judiciary and civil society organizations in general, and to inform the Committee on all steps taken to implement them in its next periodic report. The Committee particularly encourages the State party to continue to engage the Ombudsman (Defensoría de los habitantes), non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.

419. The Committee invites the State party to update its core document in accordance with the 2006 harmonized guidelines for the preparation of a Common Core Document (HRI/GEN/2/Rev.4).

420. The Committee requests the State party to submit its fifth periodic report by 30 June 2012.

# PARAGUAY

421. The Committee on Economic, Social and Cultural Rights considered the second and third periodic reports of Paraguay on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/PRY/3) at its 44th, 45th and 46th meetings, held on 13 and 14 November 2007 (E/C.12/2007/SR.44-46), and adopted, at its 55th meeting, held on 21 November 2007, the following concluding observations.

## A. Introduction

422. The Committee welcomes with satisfaction the submission of the second and third periodic reports of the State party, although late, and the written replies to its list of issues. The Committee also appreciates the presence of a high-level delegation from the State party, which is comprised of specialists in subjects covered by the Covenant, and illustrates the importance the State party attaches to dialogue with the Committee. It regrets, however, that some of its questions have remained unanswered.

## B. Positive aspects

423. The Committee notes with satisfaction that during the period covered by the second and third periodic reports, the State party adopted the new Penal Code and the new Code of Criminal Procedure; the Code on Children and Adolescents (Act No. 1680/01); the Domestic Violence Act (Act No. 1600/00); and Act No. 2861/06 penalizing the trade in and distribution of pornographic material representing minors and persons with disabilities, and that it ratified the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities.

424. The Committee notes with satisfaction the activities undertaken by the Office of the Ombudsman in the area of economic, social and cultural rights, in particular those related to the rights to education, work and health.

425. The Committee notes with satisfaction the courses and activities undertaken by the Human Rights Commission, under the Ministry of Justice and Labour, aimed at promoting human rights.

426. The Committee notes with satisfaction the efforts of the State party in the area of literacy.

427. The Committee welcomes the progress made by the State party in extending the coverage of civil status registration to include the entire population and especially indigenous communities.

428. The Committee welcomes the programmes designed to provide alternatives to the internment of delinquent minors, and also notes the separation of minors and adults in detention facilities.

429. The Committee welcomes with satisfaction the establishment of a Secretariat for Women, at the ministerial level.

430. The Committee notes the efforts of the State party to curb deforestation in Paraguay.

## C. Factors and difficulties impeding the implementation of the Covenant

431. The Committee notes the absence of any significant factors or difficulties preventing the effective implementation of the Covenant in the State party.

## D. Principal subjects of concern

432. The Committee regrets that most of its 1996 recommendations have not been fully implemented, and that the State party has not addressed in a more effective manner the following principal subjects of concern, related to its initial report, which are still relevant:

(*a*) The persistence of striking disparities in the enjoyment of economic, social and cultural rights in Paraguayan society. The Committee is also concerned that, despite the State party's economic growth over recent years, the number of persons living in extreme poverty has increased;

(*b*) The slow pace of agrarian reform. While noting that the Rural Welfare Institute has become the National Institute of Rural and Land Development (INDERT), the Committee reiterates its concern over the situation of farmers and the indigenous population, who do not have access to their traditional and ancestral lands. The Committee notes with concern the concentration of land ownership in the hands of a very small proportion of the population;

(*c*) The wage gap between men and women;

(*d*) The persistence of domestic violence. Although the Committee notes that in the period covered by the periodic reports, the State party adopted a law against domestic violence, it is concerned that the punishment for such criminal conduct is a mere fine and that the requirement for it to be habitual in order to be classified as a criminal offence allows such acts to go unpunished;

(*e*) There is no minimum wage guarantee for all workers. The Committee notes with concern that a large number of public sector workers still receive salaries below the minimum wage;

(*f*) The trade union rights of workers are not fully guaranteed. The Committee is concerned about the slow procedure of trade union registration with the Ministry of Justice and Labour, and the fact that employers can delay the process by sending a written communication. It is also concerned about the exposure of trade union leaders in the private sector to harassment;

(*g*) The high proportion of the population excluded from any form of social security. The Committee is concerned at the high level of unemployment, the size of the informal economy, which amounts to 80 per cent of the economically active population, and at the fact that persons working in that sector receive inadequate wages and are not eligible for social benefits;

(*h*) The high number of child workers. The Committee is especially concerned about the vulnerability of children working in domestic service, who are exposed to ill-treatment, exploitation and sexual abuse, while many of them are deprived of the right to education. The Committee notes that there is no effective structure providing legal and judicial protection for these children;

(*i*) The population is not guaranteed the right to health. Although the health sector budget has increased, the Committee notes with concern that the majority of the Paraguayan population has no adequate health care. The Committee further notes with concern that in 2004 the public sector focused predominately on the higher-income population.

433. The Committee notes with concern the discrimination faced by women in Paraguay, which is perpetuated by prejudices and traditional social conditions, in spite of the legal instruments and programmes that have been adopted by the State party.

434. The Committee is concerned about multiple discrimination faced by women in rural areas, a large proportion of whom are heads of households and face poverty and extreme poverty on a daily basis. Their situation sometimes forces them to emigrate or to become victims of sexual exploitation.

435. The Committee notes with concern that the wages paid to domestic workers, the majority of whom are women, represent only 40 per cent of the minimum wage. While noting the explanation presented by the State party that such employees receive board and lodging from their employers, the Committee believes such a low percentage of the minimum wage is not sufficient to ensure a decent living for these workers. Furthermore, domestic workers work up to 12 hours a day, often without social security or overtime pay.

436. The Committee notes with concern that the expansion of soybean cultivation has fostered the indiscriminate use of toxic agro-chemicals, leading to deaths and illnesses among children and adults, contamination of the water supply and the disappearance of ecosystems, while it has jeopardized the traditional food resources of the affected communities.

437. The Committee notes with deep concern the large number of forced evictions of peasant and indigenous families, particularly in the communities of Tetaguá Guaraní, Primero de Marzo, María Antonia and Tekojoja, who had been occupying the land, and the reports received that the National Police used excessive force in carrying out those evictions, by burning and destroying housing, crops, property and animals.

438. The Committee notes with concern that some 45 per cent of indigenous people do not hold legal title to their ancestral lands and are thus exposed to forced eviction.

439. The Committee notes with concern that the State party has not yet adopted a housing policy especially for rural areas, despite the housing shortage reportedly affecting more than a million families.

440. The Committee is concerned that the high level of malnutrition affecting mainly rural populations and indigenous people is on the rise, and regrets that it has not received sufficient information from the State party in that regard.

441. The Committee notes with concern that clandestine abortions are a major cause of death among women, and the high level of maternal and infant mortality.

442. While noting the increase in the budget of the psychiatric hospital of Paraguay, the Committee is concerned about the situation of patients in psychiatric institutions, especially women and children, and the lack of adequate procedural safeguards for persons committed to such institutions. The Committee is particularly concerned about the abuses suffered by some patients held in solitary confinement.

## E. Suggestions and recommendations

443. The Committee calls upon the State party to address the specific subjects of concern already expressed with respect to its initial report, and reiterates that the State party should implement the Committee's suggestions and recommendations in this regard. In particular:

(*a*) The Committee calls upon the State party to take all necessary measures to reduce extreme poverty and to improve its social development strategies, including coordination measures among the various institutions, as well as evaluations to assess the impact of plans and identify their shortcomings. The State party should also adopt additional fiscal measures aimed at improving the distribution of wealth throughout the population in both rural and urban areas. In this respect, the Committee invites the State party to take into consideration its statement on "Poverty and the International Covenant on Economic, Social and Cultural Rights", adopted on 4 May 2001 (*Official Records of the Economic and Social Council, 2002, Supplement No. 2* [E/2002/22-E/C.12/2001/17], annex VII). The Committee requests that the State party, in its next report, include disaggregated and comparative data, and indicators, on the number of persons living in poverty and extreme poverty, as well as on progress made in efforts to combat poverty and extreme poverty;

(*b*) The Committee recommends that the State party increase its efforts to speed up the demarcation of ancestral lands and territories and their return to the indigenous peoples, following up the distribution of land to farmers with measures such as technical assistance, inputs, tools, microcredit, training and infrastructure, as well as irrigation and electricity systems. The State party must ensure that the budget allocated to agrarian reform is not diverted;

(*c*) The Committee recommends that the State party take the necessary measures to ensure equal working conditions for men and women, including equal pay for equal work. The State party should adopt, as soon as possible, the law on equal pay that is being discussed in the Senate, and ensure that it is fully in line with the Covenant;

(*d*) The State party should step up its efforts to eliminate domestic violence and consider amending its criminal legislation on domestic violence to increase the penalty for this offence;

(*e*) The Committee urges the State party to take effective measures to reduce the unemployment rate and regularize the informal economy; and to guarantee that workers are able to exercise their labour rights, including the right to social security;

(*f*) The Committee recommends that the State party ensure that the Ministry of Justice and Labour carries out trade union registration procedures with due diligence. The State party should adopt strong measures to protect unionized workers and their leaders from acts of intimidation, including through investigation, legal proceedings and the imposition of penalties on those responsible for such acts;

(*g*) The Committee requests the State party to adopt effective measures to ensure parity in the minimum wage paid to public and private sector workers, ensuring that the minimum wage allows all families to enjoy an adequate standard of living;

(*h*) The Committee encourages the State party to redouble its efforts to eliminate child labour, particularly in domestic service, taking all appropriate measures. It requests the State party to investigate all cases of exploitation and sexual abuse of child workers, and bring to trial and punish those responsible;

(*i*) The Committee recommends that the State party step up its efforts in the area of health, and invites it to establish a global health policy enabling the poorest sectors to have access to free, high-quality primary health care. The Committee requests the State party, in its next report, to provide detailed and updated information, including disaggregated statistical data and indicators, in order to assess the level of progress achieved in that area.

444. The Committee requests the State party to ensure the equality of men and women in all spheres of life, in particular by taking effective measures to combat discrimination in the education of girls and young women, in access to employment and in working conditions. The Committee recommends that the State party adopt a law on equal opportunities for men and women and ensure that the activities of the Secretariat for Women have a real impact on women's lives.

445. The Committee recommends that the State party take whatever positive measures are necessary to eliminate discrimination suffered by women in vulnerable situations, such as women in rural areas, including the elaboration of a comprehensive public policy to combat trafficking in persons and to provide protection and assistance to victims.

446. The Committee recommends that the State party amend the articles of the Labour Code that establish discriminatory conditions for domestic work, and increase the number of labour inspections in that sector.

447. The Committee urges the State party to adopt urgent measures to ensure that soybean cultivation does not undermine the ability of the population to exercise the rights recognized by the Covenant. Apart from ensuring compliance with the law on toxic agro-chemicals, the State party should establish an effective legal framework for protection against the use of toxic agro-chemicals and carry out effective and frequent inspections.

448. The Committee urges the State party to take the necessary measures, including legislative measures, to: (a) prevent the eviction of peasant and indigenous families who are occupying the land; (b) address the claims made by peasant and indigenous families and ensure that they are not repressed; (c) follow-up on complaints filed with the Office of the Public Prosecutor; (d) ensure that the judicial authorities take the provisions of the Covenant into account when handing down their decisions; and (e) investigate, bring to trial and punish those responsible for forced evictions and violations related to the rights recognized by the Covenant.

449. The Committee urges the State party to take all the necessary measures to guarantee that indigenous people hold legal title to their indigenous lands.

**450. The Committee urges the State party, in accordance with its general comment No. 4, on the right to adequate housing, to take all appropriate measures, including the construction of housing units, to solve the problem of the housing shortage affecting mainly rural areas, low-income families and other marginalized persons and groups. The Committee requests the State party, in its next report, to provide detailed and updated information, including disaggregated statistical data and indicators, in order to assess the level of progress achieved in that area.**

**451. The Committee recommends that the State party adopt effective and urgent measures to combat hunger and malnutrition. The State party should amend its public agricultural and agrarian policies in order to promote agriculture among peasant families and food security. It should allocate the maximum amount of resources available for financial and technical support to small and medium-sized producers.**

**452. The Committee strongly encourages the State party to take the necessary legislative steps to address the problem of female mortality caused by clandestine abortions, and recommends that school curricula openly address the subjects of sex education and family planning in order to help prevent early pregnancies and the spread of sexually transmitted diseases. It also recommends that it adopt a law on sexual and reproductive health that is compatible with the provisions of the Covenant. The State party should also continue its efforts to reduce maternal and infant mortality.**

**453. The Committee encourages the State party to continue its efforts to improve the situation of persons undergoing treatment in psychiatric institutions, and to speed up progress in the implementation of the commitment deed signed in 2004 and, especially, guarantee access to judicial remedy for persons committed to such institutions. The Committee also recommends that the State party adopt in the near future a bill on mental health that is fully compatible with the Covenant.**

**454. The Committee recommends that the State party give due consideration in its land restitution programme to the right of indigenous peoples to their ancestral lands, which are essential to the expression of their cultural identity and to their very survival.**

**455. The Committee recommends that, in its next periodic report, the State party provide more detailed analysis of the cases examined and the results of activities undertaken by the Ombudsman.**

**456. The Committee recommends that the State party strengthen the mandate of the Human Rights Commission, including through the provision of adequate funding, and allow it to participate, at the national level, in activities to follow up on the concluding observations.**

**457. The Committee requests the State party to disseminate widely the present concluding observations at all levels of society and, in particular, among State officials, the judiciary and civil society organizations in general, and to inform the Committee in its next periodic report about all steps taken to implement them. It also encourages the State party to engage non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.**

458. The Committee invites the State party to update its core document in accordance with the requirements of the harmonized guidelines on reporting compiled in 2006 (HRI/GEN/2/Rev.4).

459. The Committee requests the State party to submit its fourth periodic report as a single document not later than 30 June 2011.

## SAN MARINO

460. The Committee on Economic, Social and Cultural Rights considered the combined initial, second, third and fourth periodic reports of San Marino on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/SMR/4) at its 39th and 40th meetings, held on 9 November 2007, and adopted, at its 59th meeting held on 23 November 2007, the following concluding observations.

### A. Introduction

461. The Committee welcomes the submission of the combined initial, second, third and fourth periodic reports of San Marino, which, although late, were prepared in conformity with the Committee's guidelines, and takes note of the written replies to its list of issues (E/C.12/SMR/Q/4/Add.1 and Add.2).

462. The Committee also welcomes the constructive dialogue with the delegation of the State party, which included representatives of various government agencies with expertise on the subjects covered by the Covenant, and the explanations provided in response to the questions asked.

### B. Positive aspects

463. The Committee notes with satisfaction the adoption of Law No. 84 of 17 June 2004, which recognizes the right of both parents to transmit their citizenship to their children.

464. The Committee welcomes the fact that the State party has acceded to the 1993 Hague Convention on the Protection of Children and Co-operation in Intercountry Adoption.

465. The Committee notes with satisfaction that the right to adequate housing is respected in San Marino, and that 80 per cent of the population own the housing units in which they live.

466. The Committee welcomes the fact that access to safe drinking water is guaranteed to the entire population, and also welcomes the water quality monitoring system in place in San Marino.

### C. Factors and difficulties impeding the implementation of the Covenant

467. The Committee notes the absence of any significant factors or difficulties impeding the effective implementation of the Covenant in San Marino.

## D. Principal subjects of concern

468. The Committee notes that, although the Covenant forms an integral part of domestic legislation, there is no court decision that mentions or confirms the direct applicability of its provisions.

469. The Committee notes with concern that the State party devotes only 0.007 per cent of its gross national product (GNP) to finance international cooperation activities.

470. The Committee notes with concern the absence of a well-structured legal framework that provides protection against discrimination in all its forms. The Committee is also concerned about the absence of criminal provisions to combat racism and discrimination.

471. The Committee is concerned at the State party's use of temporary and consultancy contracts. Such contracts may affect the enjoyment of just and favourable working conditions by persons employed as consultants.

472. The Committee is concerned at certain provisions of Law No. 42 that exclude non-nationals with only resident status from certain social benefits such as unemployment benefit in the event of a suspension or reduction of their employment.

473. The Committee is concerned that the level of social pension does not provide a decent standard of living for pensioners.

474. The Committee is concerned at the use of concepts such as "legitimate children" and "natural children" in current legal language. Distinctions based on such criteria may affect the enjoyment of all the rights established under the Covenant.

475. The Committee is concerned at the definition of the family given in paragraph 143 of the State party's report. That type of definition excludes single-parent families and impairs their access to the various forms of support granted by the State party, including family allowances.

## E. Suggestions and recommendations

476. The Committee encourages the State party to ensure that the provisions of the Covenant are given effect by its domestic courts. The Committee also draws the attention of the State party to general comment No. 9 (1998) on the domestic application of the Covenant.

477. The Committee urges the State party to make an effort to allocate 0.7 per cent of its GNP to development assistance by the year 2015, in accordance with the Millennium Development Goals.

478. The Committee encourages the State party to pursue its efforts to establish an independent national human rights institution, in accordance with the Paris Principles (General Assembly resolution 48/134), with a mandate to protect and promote all human rights, including economic, social and cultural rights.

479. The Committee encourages the State party to accede to the International Labour Organization (ILO) Labour Inspection Convention, 1947 (No. 81), Social Security (Minimum Standards) Convention, 1952 (No. 102), Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117) and Equality of Treatment (Social Security) Convention, 1962 (No. 118).

480. The Committee encourages the State party to consider the establishment of a well-structured legal framework for protection against discrimination in all its forms and to adopt criminal provisions to combat racism and discrimination.

481. The Committee requests the State party to include, in its next periodic report, detailed information on measures adopted to ensure the enjoyment of economic, social and cultural rights by women. It also requests the State party to provide statistics on the number of women in Parliament and working at the University.

482. The Committee requests the State party to provide detailed information in its next periodic report on the working conditions of persons employed as consultants and those on temporary contracts.

483. The Committee requests the State party to provide in its next periodic report information on irregular migration flows affecting the country. The Committee also requests statistics on the number of cross-border workers in the San Marino labour market.

484. The Committee recommends that the State party study the possibility of reviewing its social security mechanisms in order to ensure that non-nationals are not excluded from certain forms of social security.

485. The Committee encourages the State party to consider increasing the allowances financed directly through income tax, in particular the amount of the social pension, in order to ensure a decent standard of living for pensioners in accordance with article 9 of the Covenant.

486. The Committee encourages the State party to stop using concepts such as "legitimate children" and "natural children" in current legal language and to consider adopting other terms such as "children born within marriage" and "out of wedlock".

487. The Committee requests the State party to provide detailed information on the situation of single-parent families in its next periodic report.

488. The Committee requests the State party in its next periodic report to provide information on the draft law additional to the San Marino Criminal Code concerning domestic violence.

489. The Committee requests the State party to provide information on trafficking in and smuggling of women and children in its next periodic report.

490. The Committee requests the State party to include in its next periodic report detailed information explaining why such a large proportion of the population has undergone psychiatric examination.

491. The Committee encourages the State party to adopt structured measures to combat HIV/AIDS.

492. The Committee requests the State party to make the present concluding observations widely available at all levels of society, and especially to State officials and members of the judiciary, and to inform the Committee on all steps taken to implement them in its next periodic report. It also encourages the State party to involve non-governmental organizations and other members of civil society in discussions at the national level before it submits its next periodic report.

493. The Committee invites the State party to update its core document in accordance with the harmonized guidelines on reporting under the international human rights treaties (HRI/GEN/2/Rev.4).

494. Finally, the Committee requests the State party to submit its fifth periodic report not later than 30 June 2010.

## UKRAINE[8]

495. The Committee on Economic, Social and Cultural Rights considered the fifth periodic report of Ukraine on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/UKR/5) at its 36th, 37th and 38th meetings, held on 7 and 8 November 2007 (E/C.12/2006/SR.36-38), and adopted, at its 52nd, 53rd and 54th meetings held on 19 and 20 November 2007 (E/C.12/2006/SR.52-54), the following concluding observations.

### A. Introduction

496. The Committee welcomes the timely submission of the fifth periodic report of Ukraine, which was prepared in general conformity with the Committee's guidelines. It also welcomes the constructive dialogue with the delegation of the State party, which included a number of experts from different government departments.

### B. Positive aspects

497. The Committee notes with appreciation the legislative measures adopted by the State party to promote equal opportunities and eliminate discrimination against women and disadvantaged and marginalized individuals and groups, in particular:

- The adoption, in 2005, of the Law on Equal Rights and Opportunities for Men and Women

- Recent amendments to the Labour Code prohibiting gender discrimination in employment and remuneration

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[8] These concluding observations were adopted with a dissenting opinion of Mr. Kolosov (see paragraph 558 below).

- The introduction in article 19 of the Law on Social Protection of Persons with Disabilities of a 4 per cent quota for the employment of persons with disabilities in all enterprises

498. The Committee welcomes the adoption by the State party of legislation on climate protection giving effect to the 1997 Kyoto Protocol to the United Nations Framework Convention on Climate Change.

499. The Committee notes with appreciation the recent ratification by the State party of the Revised European Social Charter.

500. The Committee welcomes the substantial increase of domestic funding allocated to the fight against HIV/AIDS, as well as the emphasis on HIV/AIDS prevention in the National AIDS Programme (2004-2008) of the State party.

501. The Committee notes the favourable position of the State party concerning the elaboration of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

## C. Factors and difficulties impeding the implementation of the Covenant

502. The Committee notes the absence of any significant factors or difficulties preventing the effective implementation of the Covenant in the State party.

## D. Principal subjects of concern

503. The Committee is concerned about the Ombudsman's reported lack of independence, lack of adequate resources, and ineffectiveness in defending economic, social and cultural rights.

504. The Committee notes with concern reports about police abuse and denial of effective protection against acts of discrimination and violence committed against ethnic and religious minorities, especially Roma, Crimean Tatars, Asian and African asylum-seekers, as well as Muslims and Jews, the reluctance of the police to investigate properly such incidents, and the tendency to prosecute and sentence perpetrators of such acts under lenient criminal law provisions on "hooliganism".

505. The Committee is concerned that, according to the State party, more than 1,000 Roma, although their status is pending, lack personal documents, which are necessary to access employment, health services and education.

506. The Committee notes with concern that only 7 per cent of the members of Parliament are women, that there are currently no women in the Cabinet and that women are also underrepresented at top level in the public service.

507. The Committee is concerned about reports that job vacancy announcements frequently indicate preferences for employing men, especially if they concern managerial positions, or discriminate on the basis of age or physical appearance of potential female candidates, and that women are disproportionately affected by unemployment and increasingly employed in low-paid jobs.

508. The Committee notes with concern that only few Roma can find regular employment in the State party, that the majority of employed Roma work as unskilled labourers, and that discrimination against Roma job applicants and businesses is reportedly widespread.

509. The Committee notes with concern that, despite the State party's efforts to enforce and gradually raise the legal minimum wage (currently 400 hryvnias) to the minimum subsistence level (currently 453 hryvnias), the minimum wage does not provide an adequate standard of living for workers and their families and that, according to the State party, 6.6 per cent of workers receive wages below the minimum wage.

510. The Committee is concerned about the high number of industrial accidents in the State party, including fatal accidents, in particular in the coalmining sector, and about the reported ineffectiveness of labour inspections and other measures taken to enforce occupational safety and health standards.

511. The Committee is concerned about reports on employers obstructing the creation of independent trade unions, pressures to resign trade union membership, intimidation of trade union leaders, and the close ties between the authorities of the State party and the Federation of Trade Unions which inherited the property from the former official Soviet trade unions.

512. The Committee notes with concern that, despite a recent increase in the minimum unemployment benefits, these benefits only amount to 50 per cent of the minimum subsistence level, and that the level of social assistance is reportedly also inadequate to ensure an adequate standard of living.

513. The Committee is gravely concerned about the high incidence of domestic violence, in particular against women and children, the absence of a criminal law provision specifically criminalizing domestic violence, the lack of adequate investigations and sentences under existing criminal law provisions, the limited capacity of temporary shelters and social and medical rehabilitation centres for victims of domestic violence, and the exclusion of persons above 35 years from them, and the lack of rehabilitation programmes for perpetrators.

514. While acknowledging the progress made by the State party in combating trafficking in persons, i.e. the recent adoption of a criminal law provision on the crime of trafficking and of the State Programme to Combat Trafficking in Human Beings, as well as the establishment of the Inter-Ministerial Council on the Prevention of Trafficking, the Committee is concerned at the high number of persons trafficked from, through and within the State party for purposes of sexual exploitation and forced labour, as well as at reports on limited access to witness protection programmes and lenient sentences for perpetrators.

515. The Committee is deeply concerned about reports that more than 400,000 children below the age of 15 are working in the informal and illegal economy, in particular in illegal coalmines, in the sex industry and in street begging rings.

516. The Committee is deeply concerned that several thousands of children live in the streets in the State party and are vulnerable to police abuse, sexual exploitation and forced labour, as well as to alcohol or drug addiction and health risks such as HIV/AIDS, and that young persons leaving the reportedly poorly managed State-run school orphanages are particularly vulnerable to becoming homeless.

517. The Committee notes with concern that 28 per cent of the population reportedly live below the official poverty line.

518. The Committee is concerned that, in spite of the efforts undertaken by the State party to resettle and integrate formerly deported persons such as Crimean Tatars in the Autonomous Republic of Crimea, most Crimean Tatars have been excluded from the land privatization process, that only a limited number of Crimean Tatars have obtained plots of land, mainly outside areas that were traditionally settled by them, while others face criminal sanctions for squatting on land, and that many Crimean Tatars live in settlements lacking basic infrastructures.

519. The Committee notes with concern that many Roma live in informal settlements and camps which lack basic infrastructures and services such as safe water, electricity, gas, heating, sewage, garbage disposal and roads, without legal security of tenure and under constant threat of eviction.

520. The Committee is deeply concerned about reports on substandard living conditions and overcrowding in prisons, pretrial detention centres and centres for refugees and asylum-seekers, including in medical wards for inmates and detainees suffering from tuberculosis.

521. The Committee notes with concern that the rural health-care system is underfunded and that there are wide disparities in the quality of health care between rural and urban areas.

522. The Committee is gravely concerned at the high prevalence of HIV/AIDS in the State party, including among women; discrimination against persons with HIV/AIDS and high-risk groups such as sex workers, drug users and incarcerated persons; disclosure of information about their HIV status by law enforcement agencies, health-care and educational institutions; and the limited access by drug users to substitution therapy.

523. The Committee notes with concern information from the State party that in 2006, 70 persons out of 100,000 (80 out of 100,000 in rural areas) were suffering from tuberculosis, which has become the leading cause of death among persons with HIV/AIDS and is particularly prevalent among the prison population.

524. The Committee is concerned about the reportedly inadequate funding of the public education system and the low salaries for teachers in the State party.

525. The Committee is concerned about reports on the high drop-out rate among Roma children in primary and secondary education, the frequent refusal to enrol Roma children in mainstream schools, and their segregation in special classes or placement in special schools for children with mental disabilities.

## E. Suggestions and recommendations

526. The Committee recommends that the State party ensure the independence and adequate funding of the Office of the Ukrainian Ombudsman, in accordance with the Paris Principles relating to the Status of National Institutions (General Assembly resolution 48/13, annex), and strengthen the Ombudsman's role in defending economic, social and cultural rights.

527. The Committee recommends that the State party consider adopting comprehensive anti-discrimination legislation and amending its Criminal Code to include provisions on racially-motivated crimes, train judges, public prosecutors and the police on the strict application of such provisions, and include in its next report detailed information, on an annual basis, on the number and nature of reported incidents of racial discrimination and violence, the criminal proceedings initiated and sanctions imposed on perpetrators, and on protection and assistance provided to witnesses and victims.

528. The Committee recommends that the State party take immediate steps, e.g. by removing administrative processing fees and bureaucratic requirements, to provide all Roma with personal documents, with a view to enabling them to access employment, health care and education, as well as other economic, social and cultural rights.

529. The Committee recommends that the State party adopt temporary special measures, with a view to increasing the representation of women in Parliament, the Government, and in senior positions in the public service. This could include, for example, the establishment of a minimum quota for the nomination of women candidates in the Law on Political Parties.

530. The Committee recommends that the State party train judges, labour inspectors and officers of the State Employment Service to apply strictly the Law on Equal Rights and Opportunities for Men and Women and the amended Labour Code, with a view to combating gender discrimination in the public and private employment sectors, in particular at the recruitment stage, conduct awareness-raising campaigns for employers, employees and the general public, and ensure that fines or other appropriate sanctions are imposed on employers who discriminate against women, and that the victims of such discrimination have access to effective remedies, including compensation. It urges the State party to further enhance vocational training, job training and retraining opportunities for unemployed women and women employed in low-paid jobs.

531. The Committee recommends to the State party to take effective measures to combat discrimination against Roma in the field of employment and increase its efforts to reduce Roma unemployment through specifically targeted measures, such as vocational training, job training and placement, financial incentives for employers, and assistance for Roma opening their own businesses. It requests the State party to include in its next periodic report updated statistical information on unemployment among Roma, as well as information on the concrete measures taken to create employment opportunities for Roma.

532. The Committee recommends that the State party take urgent measures to ensure that the minimum wage provides workers with an adequate standard of living for themselves and their families, in accordance with article 7 (a) (ii) of the Covenant, and intensify its efforts to enforce the legal minimum wage in the public and private sectors, including through increased labour inspections and fines or other appropriate sanctions for employers who fail to comply with the minimum wage.

533. The Committee urges the State party to increase the effectiveness and transparency of labour inspections and to impose fines or other appropriate sanctions for violations of occupational safety and health standards, in particular in the coalmining sector, where infrastructures should be modernized, and to apply strict safety requirements when granting special permits for underground mining operations.

534. The Committee recommends that the State party take urgent measures to ensure the freedom to form and join trade unions of one's choice, to prevent and punish harassment of members and leaders of independent trade unions, and to guarantee plurality and equality of trade unions in law and in practice.

535. The Committee urges the State party to strengthen its efforts and use all available resources to increase, to the extent possible, the amount of unemployment benefits and other social security allocations, as well as social assistance benefits, especially at the minimum levels, with a view to ensuring an adequate standard of living for recipients of such benefits. It requests the State party to include in its next periodic report updated disaggregated data, on an annual basis, on the minimum levels of unemployment, pension, disability and other social security benefits, as well as of minimum social assistance benefits.

536. The Committee urges the State party to proceed with the adoption of a criminal law provision specifically criminalizing domestic violence; consider deleting provisions on "victim behaviour" from the Law on the Prevention of Violence in the Family; provide mandatory training for judges, prosecutors and the police on the strict application of provisions relating to domestic violence and protection orders; intensify its efforts to increase the capacity of and to open new temporary shelters and social and medical rehabilitation centres for victims of violence, and ensure that such centres and assistance are also accessible to persons above 35 years; adopt rehabilitation programmes for perpetrators; and provide updated data on the number and nature of reported cases of domestic violence, criminal convictions and sanctions imposed on perpetrators in its next periodic report.

537. The Committee recommends that the State party continue and further intensify its efforts to combat trafficking in persons, by ensuring adequate access to victim assistance, rehabilitation and reintegration, and witness protection programmes, providing mandatory training for the police, prosecutors and judges on the strict application of criminal law provisions punishing the crime of trafficking, ensuring a restrictive licensing policy and effective inspections for tourist and marriage agencies, and allocating sufficient funds for the implementation of the State Programme to Combat Trafficking in Human Beings.

538. The Committee urges the State party to intensify its efforts to combat child labour, including through systematic and effective labour inspections and urgent controls by social services, heavier sentences for persons who make use of illegal child labour, mandatory training for the police, prosecutors and judges, awareness-raising campaigns for children and parents on the dangers of child labour and the importance of education, and assistance and reintegration for children engaged in child labour.

539. The Committee urges the State party to allocate sufficient funds for the implementation of the State Programme to Combat Child Homelessness and Neglect (2006-2010), increase the capacity of and open new centres for homeless children and day centres for street children, ensure access to adequate food, health care and social protection for street children and children deprived of parental care, adopt urgent measures to provide these children and young persons leaving school orphanages with education, accommodation and adequate employment opportunities, and intensify its efforts to improve the living conditions in orphanages and seek alternative solutions for children placed in orphanages, such as foster families or family-type children's homes, and by ensuring an effective procedure of adoption by families.

540. The Committee recommends that the State party allocate sufficient funds for the implementation of its poverty eradication strategy, ensure the full integration of economic, social and cultural rights in the strategy, and specifically address the needs of unemployed persons, women, families with children, pensioners, the rural population, ethnic minorities and other disadvantaged and marginalized individuals and groups. In this regard, the State party is referred to the Committee's Statement on "Poverty and the International Covenant on Economic, Social and Cultural Rights" (E/C.12/2001/10). The State party is requested to include in its next periodic report updated statistical data, on an annual basis, on the percentage of the population living in poverty, disaggregated by gender, age, number of children per household, number of single-parent households, rural/urban population, and ethnic group.

541. The Committee recommends that the State party allocate sufficient funds for the implementation of the Programme for the Resettlement and Integration of Formerly Deported Persons and ensure that formerly deported persons have equal access to suitable plots of land and adequate housing and to effective remedies for claiming such land and housing. It also recommends that the State party proceed with the adoption of the draft law on compensation of formerly deported persons. The State party should consider repealing the recent law threatening illegal land occupants with several years' imprisonment. It should also ensure that Crimean Tatars living in settlements enjoy legal security of tenure and access to basic infrastructures, including safe water, electricity, gas, heating, sewage and garbage disposal, and roads.

542. The Committee urges the State party to ensure, by legalizing and intensifying its efforts to improve the infrastructures of Roma settlements or through social housing programmes, that all Roma have access to adequate and affordable housing, legal security of tenure, safe water, electricity, gas, heating, sewage and garbage disposal, and roads. The State party should ensure that adequate alternative housing is provided whenever forced evictions take place, in line with the Committee's general comment No. 7 (1997), and include in its next report disaggregated statistical data, on an annual basis, on the number of forced evictions.

543. The Committee recommends that the State party take immediate measures to ensure adequate occupancy levels and access to safe water, sanitation, food, bedding, natural light, ventilation, and out-of-cell activities in prisons, detention centres and centres for refugees and asylum-seekers, as well as adequate treatment and medication for prisoners and detainees suffering from tuberculosis and other diseases.

544. The Committee recommends that the State party increase its efforts to improve the quality and availability of health care in rural areas, by ensuring adequate funding and strengthening community-based and mobile health services.

545. The Committee recommends that the State party continue its efforts and take urgent measures to improve the accessibility and availability of HIV prevention to all the population and the treatment, care and support of persons living with HIV/AIDS, including in prisons and detention centres, combat discrimination against persons living with HIV/AIDS and high risk groups, ensure the confidentiality of information about a person's HIV status, and make drug substitution therapy and other HIV prevention services more accessible for drug users.

546. The Committee recommends that the State party take urgent measures to improve tuberculosis prevention and accessibility of specialized tuberculosis treatment and medication, in particular in prisons, detention centres and police stations, and reduce delays in screening detainees for tuberculosis.

547. The Committee recommends that the State party intensify its efforts to fund adequately the public education system and to increase salaries for teachers, including minority language teachers and teachers specialized in teaching Ukrainian and Russian as a non-native language.

548. The Committee recommends that the State party adopt special measures, including subsidies for textbooks and other educational tools, in order to increase school attendance by Roma children at the preschool, primary and secondary levels, combat discrimination against Roma pupils, promote their admission to mainstream schools and classes, raise awareness among Roma families on the importance of education, including for girls, and provide additional catch-up and Ukrainian and Russian language classes for Roma pupils.

549. The Committee recommends that the State party ensure the effective judicial protection of economic, social and cultural rights, including through the introduction of a right of direct individual access to the Constitutional Court.

550. The Committee recommends that the State party implement the judgement of the Constitutional Court of 9 July 2007, with a view to ensuring the effective implementation of laws and programmes aimed at progressively achieving the full realization of economic, social and cultural rights.

551. The Committee recommends that the State party consider ratifying ILO Convention No. 174 on the Prevention of Major Industrial Accidents (1993).

552. The Committee recommends that the State party consider ratifying ILO Conventions Nos. 102, 117, 118, 121, 128, 130 and 168, as well as the CIS Agreement on the Cooperation in Solving Problems of Disability and Persons with Disabilities (1996).

553. The Committee, while noting that according to the core document of the State party, only Ukrainians are considered to be an indigenous ethnic group, encourages the State party to recognize the right of self-identification of all ethnic groups in Ukraine, as well as their right to the preservation, protection and development of their cultural heritage.

554. The Committee invites the State party to consider ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

555. The Committee requests the State party to disseminate the present concluding observations widely among all levels of society, particularly among government officials and judicial authorities, to translate them into Ukrainian and, to the extent possible, into the languages of national minorities, including Romani and the Crimean Tatar language, and to inform the Committee on the steps taken to implement them in its next periodic report. It also encourages the State party to engage non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.

**556. The Committee invites the State party to update its core document in accordance with the harmonized guidelines on a common core document (HRI/MC/2006/3 and Corr.1).**

**557. Finally, the Committee requests the State party to submit its sixth periodic report by 30 June 2011.**

### Dissenting opinion on concluding observations

**558. The concluding observations on the fifth periodic report of Ukraine were adopted with the following dissenting opinion of Mr. Kolosov.**

**559. "Paragraph 60 of the Committee's concluding observations on Ukraine arouses objections on the following grounds:**

> **(*a*) the concluding observations are based on the information submitted by one NGO and do not take into account the official report of Ukraine, the State party's replies to the Committee's list of issues, and the oral explanations provided by the Ukrainian delegation on the issue of the reintegration of deported populations in Crimea;**
>
> **(*b*) the wording fails to take into account the explanations provided by the Ukrainian delegation that no indigenous people live on Ukrainian territory."**

# CHAPTER V

## Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights

### A. General comment No. 19 on the right to social security (article 9 of the Covenant)

560. At its 19th and 20th meetings, held on 11 May 2007 (thirty-eighth session) and 59th meeting, held on 23 November 2007 (thirty-ninth session), the Committee adopted its general comment No. 19 on the right to social security (article 9 of the Covenant). The full text of the general comment is contained in annex VII of the present report.

### B. Statement of the Committee on Economic, Social and Cultural Rights on an evaluation of the obligation to take steps to the "maximum of available resources" under an optional protocol to the Covenant

561. At its 17th meeting, held on 10 May 2007 (thirty-eighth session), the Committee adopted a statement on an evaluation of the obligation to take steps to the "maximum of available resources" under an optional protocol to the Covenant. The full text of the statement is contained in annex VIII to the present report.

### C. Cooperation with specialized agencies: Seventh meeting of the Joint Expert Group UNESCO (Committee on Conventions and Recommendations)/Economic and Social Council (Committee on Economic, Social and Cultural Rights) on the Monitoring of the Right to Education

562. The UNESCO (Committee on Conventions and Recommendations)/ECOSOC (Committee on Economic, Social and Cultural Rights) Joint Expert Group on the Monitoring of the Right to Education held its seventh meeting at UNESCO Headquarters in Paris on 7 December 2007. The Joint Expert Group discussed the outcome of the Seventh Consultation of Member States on the Implementation of the UNESCO Convention and Recommendation against Discrimination in Education and made recommendations with respect to ensuring equality of educational opportunities in law and in fact, as well as on ways to enhance synergies between the reporting procedures under the Convention against Discrimination in Education and article 13 of the Covenant. The full report of the meeting is contained in annex IX to the present report.

# CHAPTER VI

## Additional decisions adopted and matters discussed by the Committee at its thirty-eighth and thirty-ninth sessions

### A. Participation in intersessional meetings

563. At its thirty-eighth and thirty-ninth sessions, the Committee decided that the following members would represent the Committee in the various intersessional meetings that would take place over the course of the year:

(*a*) Nineteenth meeting of chairpersons (21-22 June 2007) and sixth inter-committee meeting (18-23 June 2007): Mr. Philippe Texier (as Chairperson), Ms. Rocío Barahona Riera and Mr. Waleed S'adi;

(*b*) Day of General Discussion of the Committee on the Rights of the Child on "Resources for the rights of the child" (21 September 2007): Ms. Rocío Barahona Riera and Mr. Eibe Riedel;

(*c*) International Law Commission meeting on reservations (Geneva, 15-16 May 2007): Mr. Philippe Texier.

### B. Future day of general discussion on the right to take part in cultural life (article 15, paragraph 1 (a) of the Covenant)

564. At its 59th meeting, held on 23 November 2007, the Committee decided to hold a day of general discussion on the right to take part in cultural life (article 15, paragraph 1 (a) of the Covenant) during its fortieth session in May 2008, with a view to assisting the Rapporteurs responsible for the drafting of a general comment on this provision. At its 55th meeting, held on 22 November 2006 (thirty-seventh session), the Committee decided to embark on the elaboration of a general comment on article 15 (the right to participate in cultural life). As the Committee's leading experts in the field, Mr. Jaime Marchan Romero and Ms. Virginia Bonoan-Dandan were requested, and accepted, to serve as the Rapporteurs for this endeavour.

### C. Follow-up to the consideration of State party reports

565. At its 47th meeting, held on 15 November 2007, the Committee discussed the question of follow-up to its consideration of State party reports and decided as follows:

(*a*) The member of the Committee designated as Country Rapporteur for a specific report of a State party will continue to serve as Country Rapporteur for that State party until the submission of the next report and will respond to any questions that may arise in relation to the substantive contents of the recommendations contained in its concluding observations on that State party, such as when information is received from national sources in the interim period until the next report is received and considered by the Committee;

**(*b*) In such situations, the Country Rapporteur may communicate, as needed, on behalf of the Committee with the State party about developments in relation to the matters contained in its concluding observations. He or she may express willingness to lend assistance through a visit;**

**(*c*) The newly designated Country Rapporteur for the next report submitted by that State party will commence the dialogue with the State party with a series of questions relating to implementation of its previous concluding observations. The new concluding observations to be adopted will include a new section with explicit reference to outstanding concerns from its previous concluding observations.**

# CHAPTER VII

## Other activities of the Committee in 2007

### A. Meeting with States parties

566. At its 18th meeting (thirty-eighth session), the Committee held a private meeting with States parties to the Covenant. The meeting was unstructured so as to allow for discussion on any matter that Committee members and representatives of States parties wished to raise. The Chairperson of the Committee, Mr. Philippe Texier, opened the meeting by summarizing the Committee's progress in regard to improving its methods of work, the Committee's contributions to the elaboration of an optional protocol to the Covenant, notably the adoption that morning of a statement on the allocation of resources. Members of the Committee shared information about the first ever regional workshop organized in March on follow-up to the Committee's concluding observations in Bishkek, expressing appreciation to the Russian Federation for the financial support which made it possible. Members also informed delegates about the efforts under way on harmonization of working methods of the treaty bodies and the efforts of the Committee to revise its own working methods, including its reporting guidelines. In the discussions that followed, delegates enquired about the status of treaty body reform, the Committee's views on resolution 4/7 of the Human Rights Council on rectification of the status of the Committee, and on its work to revise its working methods. Questions were put about the Committee's workload and how it would be able to cope if it should expand significantly due to an optional protocol. The meeting was attended by representatives of 60 States parties.

### B. Regional workshop on follow-up to the concluding observations of the Committee, Bishkek

567. On 28 to 30 March 2007, a regional workshop on follow-up to the concluding observations of the Committee was held in Bishkek, with the financial support of the Russian Federation. The workshop was organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR), pursuant to a request of the Committee made at its thirty-fourth session.[9] The workshop aimed at building the capacity of national actors of the States parties in the Central Asia region through exchanges of knowledge and best practices, thereby helping the participating countries to better implement the recommendations of the Committee and prepare for the submission of their next reports due under the Covenant. The workshop was attended by representatives of the Governments, United Nations Country Teams, national human rights institutions and civil society of Kazakhstan, Tajikistan, Turkmenistan, as well as the host, the Kyrgyz Republic. A representative of Uzbek civil society also participated. The workshop was facilitated by Ms. Virginia Bonoan-Dandan and Mr. Andrzej Rzeplinsky (members of the Committee), Mr. Krassimir Kanev of the Bulgarian Helsinki Committee, Mr. Alexandre Tikhonov (former Secretary of the Committee), and staff members of OHCHR.

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[9] *Official Records of the Economic and Social Council, 2006, Supplement No. 2* (E/2006/22-E/C.12/2005/5), paras. 631-632.

## C. Workshop on reporting and implementing obligations under the Covenant, Tbilisi

568. On 16 to 20 July 2007, a workshop was organized in Tbilisi by the Office of the High Commissioner for Human Rights, led by Ms. Virginia Bonoan-Dandan and Ms. Barbara Wilson. The subjects of the workshop, which was attended by representatives of various State institutions, were the reporting obligations under the Covenant and the implementation by States parties of the rights enshrined therein. On 20 July, Ms. Bonoan-Dandan and Ms. Wilson conducted a meeting in Tbilisi on the same subject, with the participation of Georgian national non-governmental organizations.

# CHAPTER VIII

## Adoption of the report

569. At its 59th meeting, held on 23 November 2007, the Committee considered its draft report to the Economic and Social Council on the work of its thirty-eighth and thirty-ninth sessions (E/2008/22/CRP.1-3). The Committee adopted the report as amended during the discussions.

# ANNEXES

## ANNEX I

## States parties to the Covenant and status of submission of reports as of 31 December 2007

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 1. **Afghanistan** - Core document: HRI/CORE/AFG/2007 | | | | | | | | | |
| 24.04.83 | 1 | 25.11.91<br>26.11.91<br>27.11.91<br>28.11.91 | E/1990/5/Add.8 | E/C.12/1991/SR.2<br>E/C.12/1991/SR.4<br>E/C.12/1991/SR.5<br>E/C.12/1991/SR.6<br>E/C.12/1991/SR.8 | E/C.12/1991/4, paras. 55-94 | 2<br>3<br>4 | 30.06.95<br>30.06.00<br>30.06.05 | | |
| 2. **Albania** - Core document: HRI/CORE/1/Add.124 | | | | | | | | | |
| 04.01.92 | 1 | 15.11.06<br>16.11.07 | E/1990/5/Add.67 | E/C.12/2006/SR.45<br>E/C.12/2006/SR.46<br>E/C.12/2006/SR.47 | E/C.12/ALB/CO/1 | 2 | 30.06.09 | | |
| 3. **Algeria** - Core document: HRI/CORE/1/Add.127 | | | | | | | | | |
| 12.12.89 | 1 | 30.11.95<br>01.12.05 | E/1990/5/Add.22 | E/C.12/1995/SR.46<br>E/C.12/1995/SR.47<br>E/C.12/1995/SR.48 | E/C.12/1995/17 | 3<br>4 | 30.06.06<br>30.06.11 | 31.12.07 | E/C.12/ALG/3 |
| | 2 | 15.11.01 | E/1990/6/Add.26 | E/C.12/2001/SR.65<br>E/C.12/2001/SR.66 | E/C.12/1/Add.71 | | | | |
| 4. **Angola** - Core document not submitted | | | | | | | | | |
| 10.04.92 | | | | | | 1<br>2<br>3 | 30.06.94<br>30.06.99<br>30.06.04 | | |
| 5. **Argentina** - Core document: HRI/CORE/1/Add.74 | | | | | | | | | |
| 8.11.86 | 1 | 26.01.90<br>29.01.90 | E/1988/5/Add.4 | E/C.12/1990/SR.18<br>E/C.12/1990/SR.19<br>E/C.12/1990/SR.20 | E/C.12/1990/3, paras. 235-254 | 3<br>4 | 30.06.01<br>30.06.06 | | |
| 1 | 1 | 22.11.94<br>24.11.94 | E/1990/5/Add.18 | E/C.12/1994/SR.30<br>E/C.12/1994/SR.31<br>E/C.12/1994/SR.32 | E/C.12/1994/14 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 5. **Argentina** (*cont'd*) | | | | | | | | | |
| | 2 | 17.11.99<br>18.11.99<br>19.11.99 | E/1990/6/Add.16 | E/C.12/1999/SR.33<br>E/C.12/1999/SR.34<br>E/C.12/1999/SR.35<br>E/C.12/1999/SR.36 | E/C.12/1/Add.38 | | | | |
| 6. **Armenia** - Core document: HRI/CORE/1/Add.57 | | | | | | | | | |
| 13.12.93<br>I | 1 | 22.11.99<br>23.11.99 | E/1990/5/Add.36 | E/C.12/1999/SR.38/Add.1<br>E/C.12/1999/SR.39<br>E/C.12/1999/SR.40 | E/C.12/1/Add.39 | 2<br>3 | 30.06.00<br>30.06.05 | | |
| 7. **Australia** - Core document: HRI/CORE/AUS/2007 | | | | | | | | | |
| 10.03.76 | 1<br>1<br>1<br>2<br>2<br>2<br>3 | 21.04.80<br>27.04.81<br>15.04.82<br>02.05.85<br>21.04.86<br>24.05.93<br>25.05.93<br>24.08.00<br>25.08.00 | E/1978/8/Add.15<br>E/1980/6/Add.22<br>E/1982/3/Add.9<br>E/1984/7/Add.22<br>E/1986/4/Add.7<br>E/1990/7/Add.13<br>E/1994/104/Add.22 | E/1980/WG.1/SR.12<br>E/1980/WG.1/SR.13<br>E/1981/WG.1/SR.18<br>E/1982/WG.1/SR.13<br>E/1982/WG.1/SR.14<br>E/1985/WG.1/SR.17<br>E/1985/WG.1/SR.18<br>E/1985/WG.1/SR.21<br>E/1986/WG.1/SR.10<br>E/1986/WG.1/SR.11<br>E/1986/WG.1/SR.13<br>E/1986/WG.1/SR.14<br>E/C.12/1993/SR.13<br>E/C.12/1993/SR.15<br>E/C.12/2000/SR.45<br>E/C.12/2000/SR.46<br>E/C.12/2000/SR.47 | E/1980/WG.1/SR.12<br>E/1980/WG.1/SR.13<br>E/1981/WG.1/SR.18<br>E/1982/WG.1/SR.13<br>E/1982/WG.1/SR.14<br>E/1985/WG.1/SR.17<br>E/1985/WG.1/SR.18<br>E/1985/WG.1/SR.21<br>E/1986/WG.1/SR.10<br>E/1986/WG.1/SR.11<br>E/1986/WG.1/SR.13<br>E/1986/WG.1/SR.14<br>E/C.12/1993/9<br>E/C.12/1/Add.50 | 4<br>5 | 30.06.05<br>30.06.10 | 7.08.07 | E/C.12/AUS/4 |
| 8. **Austria** - Core document: HRI/CORE/1/Add.8 | | | | | | | | | |
| 10.12.78 | 1<br>2<br>1<br>3 | 17.04.81<br>16.04.86<br>8.02.88<br>9.11.05<br>10.11.05 | E/1980/6/Add.19<br>E/1986/4/Add.8 and Corr.1<br>E/1982/3/Add.37<br>E/1984/6/Add.17<br>E/1994/104/Add.27 | E/1981/WG.1/SR.8<br>E/1986/WG.1/SR.4<br>E/1986/WG.1/SR.7<br>E/C.12/1988/SR.3<br>E/C.12/1988/SR.4<br>E/C.12/2005/SR.35<br>E/C.12/2005/SR.36<br>E/C.12/2005/SR.37 | E/1981/WG.1/SR.8<br>E/1986/WG.1/SR.4<br>E/1986/WG.1/SR.7<br>E/C.12/1988/Add.4<br>paras. 23-61<br>E/C.12/AUT/CO/3 | 4 | 30.06.10 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 9. **Azerbaijan** - Core document: HRI/CORE/1/Add.117 | | | | | | | | | |
| 13.11.92 | 1 | 25.11.97<br>26.11.97 | E/1990/5/Add.30 | E/C.12/1997/SR.39<br>E/C.12/1997/SR.40<br>E/C.12/1997/SR.41 | E/C.12/1/Add.20 | 3 | 30.06.09 | | |
| | 2 | | E/1990/6/Add.37 | E/C.12/2004/SR.41<br>E/C.12/2004/SR.42<br>E/C.12/2004/SR.43 | E/C.12/1/Add.104 | | | | |
| 10. **Bahrain** - Core document not submitted | | | | | | | | | |
| 27.12.07 | | | | | | 1 | 30.06.08 | | |
| 11. **Bangladesh** - Core document not submitted | | | | | | | | | |
| 05.01.99 | | | | | | 1<br>2 | 30.06.00<br>30.06.05 | | |
| 12. **Barbados** - Core document: HRI/CORE/1/Add.64/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 27.04.83 | E/1982/3/Add.24 | E/1983/WG.1/SR.14<br>E/1983/WG.1/SR.15 | E/1983/WG.1/SR.14<br>E/1983/WG.1/SR.15 | 2<br>3<br>4<br>5 | 30.06.91<br>30.06.96<br>30.06.01<br>30.06.06 | | |
| 13. **Belarus** - Core document: HRI/CORE/1/Add.70 | | | | | | | | | |
| 03.01.76 | 1 | 23.04.80 | E/1978/8/Add.19 | E/1980/WG.1/SR.16 | E/1980/WG.1/SR.16 | 4 | 30.06.99 | | |
| | 1 | 27.04.81 | E/1980/6/Add.18 | E/1981/WG.1/SR.16 | E/1981/WG.1/SR.16 | 5 | 30.06.04 | | |
| | 1 | 12.04.82 | E/1982/3/Add.3 | E/1982/WG.1/SR.9<br>E/1982/WG.1/SR.10 | E/1982/WG.1/SR.9<br>E/1982/WG.1/SR.10 | | | | |
| | 2 | 25.04.84 | E/1984/7/Add.8 | E/1984/WG.1/SR.13<br>E/1984/WG.1/SR.15 | E/1984/WG.1/SR.13<br>E/1984/WG.1/SR.15 | | | | |
| | 2 | 08.02.88 | E/1986/4/Add.19 | E/1986/WG.1/SR.10<br>E/1986/WG.1/SR.11<br>E/1986/WG.1/SR.12 | E/1986/WG.1/SR.10<br>E/1986/WG.1/SR.11<br>E/1986/WG.1/SR.12 | | | | |
| | 2 | 23.11.92<br>24.11.92 | E/1990/7/Add.5 | E/C.12/1992/SR.2<br>E/C.12/1992/SR.3 | E/C.12/1992/SR.2<br>E/C.12/1992/SR.3 | | | | |
| | 3 | 21.11.96<br>22.11.96 | E/1994/104/Add.6 | E/C.12/1996/SR.34<br>E/C.12/1996/SR.35<br>E/C.12/1996/SR.36 | E/C.12/1/Add.7/Rev.1 | | | | |
| 14. **Belgium** - Core document: HRI/CORE/1/Add.1/Rev.1 | | | | | | | | | |
| 21.07.83 | 1 | 11.05.94<br>13.05.94 | E/1990/5/Add.15 | E/C.12/1994/SR.15<br>E/C.12/1994/SR.16/Add.1<br>E/C.12/1994/SR.17 | E/C.12/1994/7 | 4 | 30.06.10 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 14. **Belgium** *(cont'd)* | | | | | | | | | |
| | 2 | 17.11.00<br>20.11.00 | E/1990/6/Add.18 | E/C.12/2000/SR.64<br>E/C.12/2000/SR.65<br>E/C.12/2000/SR.66 | E/C.12/1/Add.54 | | | | |
| | 3 | 12.11.07<br>13.11.07 | E/C.12/BEL/3 | E/C.12/2007/SR.41<br>E/C.12/2007/SR.42<br>E/C.12/2007/SR.43 | E/C.12/BEL/CO/3 | | | | |
| 15. **Benin** - Core document: HRI/CORE/1/Add.85 | | | | | | | | | |
| 12.06.92 | 1 | 02.05.02<br>03.05.02 | E/1990/5/Add.48 | E/C.12/2002/SR.8<br>E/C.12/2002/SR.9<br>E/C.12/2002/SR.10 | E/C.12/1/Add.78 | 2<br>3 | 30.06.07<br>30.06.12 | 19.12.06 | E/C.12/BEN/2 |
| 16. **Bolivia** - Core document: HRI/CORE/1/Add.54/Rev.1 | | | | | | | | | |
| 12.11.82 | 1 | 02.05.01<br>03.05.01 | E/1990/5/Add.44 | E/C.12/2001/SR.15<br>E/C.12/2001/SR.16<br>E/C.12/2001/SR.17 | E/C.12/1/Add.60 | 2<br>3 | 30.06.05<br>30.06.10 | 30.01.07 | E/C.12/BOL/2 |
| 17. **Bosnia and Herzegovina** - Core document: HRI/CORE/1/Add.89/Rev.1 | | | | | | | | | |
| 06.03.92 | 1 | 14.11.05<br>15.11.05 | E/1990/5/Add.65 | E/C.12/2005/SR.41<br>E/C.12/2005/SR.42<br>E/C.12/2005/SR.43 | E/C.12/BIH/CO/1 | 2 | 30.06.10 | | |
| 18. **Brazil** - Core document: HRI/CORE/1/Add.53/Rev.1 | | | | | | | | | |
| 24.04.92 | 1 | 08.05.03<br>09.05.03 | E/1990/5/Add.53 | E/C.12/2003/SR.8<br>E/C.12/2003/SR.9<br>E/C.12/2003/SR.10 | E/C.12/1/Add.87 | 2<br>3 | 30.06.06<br>30.06.11 | 10.07.07 | E/C.12/BRA/2 |
| 19. **Bulgaria** - Core document: HRI/CORE/1/Add.81 | | | | | | | | | |
| 03.01.76 | 1<br>1<br>1 | 21.04.80<br>12.04.82<br>26.04.83 | E/1978/8/Add.24<br>E/1980/6/Add.29<br>E/1982/3/Add.23 | E/1980/WG.1/SR.12<br>E/1982/WG.1/SR.8<br>E/1983/WG.1/SR.11<br>E/1983/WG.1/SR.12<br>E/1983/WG.1/SR.13 | E/1980/WG.1/SR.12<br>E/1982/WG.1/SR.8<br>E/1983/WG.1/SR.11<br>E/1983/WG.1/SR.12<br>E/1983/WG.1/SR.13 | 4<br>5 | 30.06.99<br>30.06.04 | | |
| | 2 | 26.04.85 | E/1984/7/Add.18 | E/1985/WG.1/SR.9<br>E/1985/WG.1/SR.10<br>E/1985/WG.1/SR.11 | E/1985/WG.1/SR.9<br>E/1985/WG.1/SR.10<br>E/1985/WG.1/SR.11 | | | | |
| | 2 | 08.02.88 | E/1986/4/Add.20 | E/C.12/1988/SR.17<br>E/C.12/1988/SR.18<br>E/C.12/1988/SR.19 | E/C.12/1988/4,<br>paras. 304-335 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 19. **Bulgaria** (*cont'd*) | | | | | | | | | |
| | 3 | 16.11.99<br>17.11.99<br>30.11.99 | E/1994/104/Add.16 | E/C.12/1999/SR.30<br>E/C.12/1999/SR.31<br>E/C.12/1999/SR.32<br>E/C.12/1999/SR.50<br>E/C.12/1999/SR.51 | E/C.12/1/Add.37 | | | | |
| 20. **Burkina Faso** - Core document: HRI/CORE/1/Add.30 | | | | | | | | | |
| 04.04.99 | | | | | | 1<br>2 | 30.06.00<br>30.06.05 | | |
| 21. **Burundi** - Core document: HRI/CORE/1/Add.16/Rev.1 | | | | | | | | | |
| 09.08.90 | | | | | | 1<br>2<br>3<br>4 | 30.06.92<br>30.06.97<br>30.06.02<br>30.06.07 | | |
| 22. **Cambodia** - Core document: HRI/CORE/1/Add.94 | | | | | | | | | |
| 26.08.92 | | | | | | 1<br>2<br>3 | 30.06.94<br>30.06.99<br>30.06.04 | | |
| 23. **Cameroon** - Core document: HRI/CORE/1/Add.109 | | | | | | | | | |
| 27.09.84 | 1 | 23.11.99<br>24.11.99<br>02.12.99 | E/1990/5/Add.35 | E/C.12/1999/SR.41/Add.1<br>E/C.12/1999/SR.42/Add.1<br>E/C.12/1999/SR.43<br>E/C.12/1999/SR.54 | E/C.12/1/Add.40 | 2<br>3 | 30.06.01<br>30.06.06 | | |
| 24. **Canada** - Core document: HRI/CORE/1/Add.91 | | | | | | | | | |
| 19.08.76 | 1 | 05.04.82 | E/1978/8/Add.32 | E/1982/WG.1/SR.1<br>E/1982/WG.1/SR.2 | E/1982/WG.1/SR.1<br>E/1982/WG.1/SR.2 | 6 | 30.06.10 | | |
| | 1 | 17.04.84 | E/1980/6/Add.32 | E/1984/WG.1/SR.4<br>E/1984/WG.1/SR.6 | E/1984/WG.1/SR.4<br>E/1984/WG.1/SR.6 | | | | |
| | 1 | 22.04.86 | E/1982/3/Add.34 | E/1986/WG.1/SR.13<br>E/1986/WG.1/SR.15<br>E/1986/WG.1/SR.16 | E/1986/WG.1/SR.13<br>E/1986/WG.1/SR.15<br>E/1986/WG.1/SR.16 | | | | |
| | 2 | 06.02.89 | E/1984/7/Add.28 | E/C.12/1989/SR.8<br>E/C.12/1989/SR.11 | E/C.12/1989/5,<br>paras. 79-112 | | | | |
| | 2 | 17.05.93<br>18.05.93 | E/1990/6/Add.3 | E/C.12/1993/SR.5<br>E/C.12/1993/SR.6 | E/C.12/1993/5 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 24. **Canada** (*cont'd*) | | | | | | | | | |
| | 3 | 26.11.98<br>27.11.98 | E/1994/104/Add.17 | E/C.12/1998/SR.46<br>E/C.12/1998/SR.47<br>E/C.12/1998/SR.48 | E/C.12/1/Add.31 | | | | |
| | 4 | 05.05.06<br>08.05.06 | E/C.12/4/Add.15 | E/C.12/2006/SR.9<br>E/C.12/2006/SR.10<br>E/C.12/2006/SR.11<br>E/C.12/2006/SR.12 | E/C.12/CAN/CO/4<br>E/C.12/CAN/CO/5 | | | | |
| | 5 | 05.05.06<br>08.05.06 | E/C.12/CAN/5 | E/C.12/2006/SR.9<br>E/C.12/2006/SR.10<br>E/C.12/2006/SR.11<br>E/C.12/2006/SR.12 | E/C.12/CAN/CO/4<br>E/C.12/CAN/CO/5 | | | | |
| 25. **Cape Verde** - Core document not submitted | | | | | | | | | |
| 06.11.93 | | | | | | 1<br>2<br>3 | 30.06.95<br>30.06.00<br>30.06.05 | | |
| 26. **Central African Republic** - Core document: HRI/CORE/1/Add.100 | | | | | | | | | |
| 08.08.81 | | | | | | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| 27. **Chad** - Core document: HRI/CORE/1/Add.88 | | | | | | | | | |
| 09.09.95 | | | | | | 1, 2, 3<br>4 | 30.06.97<br>30.06.02 | 18.09.07 | E/C.12/TCD/3 |
| 28. **Chile** - Core document: HRI/CORE/1/Add.103 | | | | | | | | | |
| 03.01.76 | 1 | 17.04.80 | E/1978/8/Add.10 | E/1980/WG.1/SR.8<br>E/1980/WG.1/SR.9 | E/1980/WG.1/SR.8<br>E/1980/WG.1/SR.9 | 4 | 30.06.09 | | |
| | 1 | 17.04.81 | E/1980/6/Add.4 | E/1981/WG.1/SR.7 | E/1981/WG.1/SR.7 | | | | |
| | 1 | 08.02.88 | E/1982/3/Add.40 | E/C.12/1988/SR.12<br>E/C.12/1988/SR.13<br>E/C.12/1988/SR.16 | E/C.12/1988/4,<br>paras. 184-218 | | | | |
| | 2 | 24.04.84 | E/1984/7/Add.1 | E/1984/WG.1/SR.11<br>E/1984/WG.1/SR.12 | E/1984/WG.1/SR.11<br>E/1984/WG.1/SR.12 | | | | |
| | 2 | 08.02.88 | E/1986/4/Add.18 | E/C.12/1988/SR.12<br>E/C.12/1988/SR.13<br>E/C.12/1988/SR.16 | E/C.12/1988/4,<br>paras. 184-218 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 28. **Chile** (*cont'd*) | | | | | | | | | |
| | 3 | 18.11.04 | E/1994/104/Add.27 | E/C.12/2004/SR.44<br>E/C.12/2004/SR.45<br>E/C.12/2004/SR.46 | E/C.12/1/Add.105 | | | | |
| 29. **China** - Core document: HRI/CORE/1/Add.21/Rev.2 | | | | | | | | | |
| 27.06.01 | 1 | 27.04.05 | E/1990/5/Add.59 | E/C.12/2005/SR.6<br>E/C.12/2005/SR.7<br>E/C.12/2005/SR.8<br>E/C.12/2005/SR.9<br>E/C.12/2005/SR.10 | E/C.12/1/Add.107 | 2 | 30.06.10 | | |
| 30. **Colombia** - Core document: HRI/CORE/1/Add.56/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 24.04.80 | E/1978/8/Add.17 | E/1980/WG.1/SR.15 | E/1980/WG.1/SR.15 | 5 | 30.06.06 | | |
| | 1 | 17.04.86 | E/1986/3/Add.3 | E/1986/WG.1/SR.6<br>E/1986/WG.1/SR.9 | E/1986/WG.1/SR.6<br>E/1986/WG.1/SR.9 | | | | |
| | 1 | 23.04.86 | E/1982/3/Add.36 | E/1986/WG.1/SR.15<br>E/1986/WG.1/SR.21<br>E/1986/WG.1/SR.22 | E/1986/WG.1/SR.15<br>E/1986/WG.1/SR.21<br>E/1986/WG.1/SR.22 | | | | |
| | 2 | 29.04.86 | E/1984/7/Add.21/ Rev.1 | E/1984/WG.1/SR.22<br>E/1984/WG.1/SR.25 | E/1984/WG.1/SR.22<br>E/1984/WG.1/SR.25 | | | | |
| | 2 | 15.01.90 | E/1986/4/Add.25 | E/C.12/1990/SR.12<br>E/C.12/1990/SR.14<br>E/C.12/1990/SR.17 | E/C.12/1990/3, paras. 169-211 | | | | |
| | 2 | 25.11.91 | E/1990/7/Add.4 | E/C.12/1991/SR.17<br>E/C.12/1991/SR.18<br>E/C.12/1991/SR.25 | E/C.12/1991/4, paras. 294-322 | | | | |
| | 3 | 21.11.95<br>22.11.95 | E/1994/104/Add.2 | E/C.12/1995/SR.32<br>E/C.12/1995/SR.33<br>E/C.12/1995/SR.35 | E/C.12/1995/12<br>E/C.12/1995/18, paras. 173-202 | | | | |
| | 4 | 14.11.01<br>29.11.01 | E/C.12/4/Add.6 | E/C.12/2001/SR.61<br>E/C.12/2001/SR.62 | E/C.12/1/Add.74 | | | | |
| 31. **Congo** - Core document: HRI/CORE/1/Add.79 | | | | | | | | | |
| 05.01.84 | | | | | | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 32. **Costa Rica** - Core document: HRI/CORE/1/Add.104 | | | | | | | | | |
| 03.01.76 | 1 | 04.12.90<br>07.12.90 | E/1990/5/Add.3 | E/C.12/1990/SR.38<br>E/C.12/1990/SR.40<br>E/C.12/1990/SR.43 | E/C.12/1990/8, paras. 159-195 | 5 | 30.06.08 | | |
| | 2, 3, 4 | 06.11.07<br>07.11.07 | E/C.12/CRI/4 | E/C.12/1990/SR.33<br>E/C.12/1990/SR.34<br>E/C.12/1990/SR.35 | E/C.12/CRI/CO/4 | | | | |
| 33. **Côte d'Ivoire** - Core document not submitted | | | | | | | | | |
| 26.06.92 | | | | | | 1<br>2<br>3 | 30.06.94<br>30.06.99<br>30.06.04 | | |
| 34. **Croatia** - Core document: HRI/CORE/1/Add.32/Rev.1 | | | | | | | | | |
| 08.10.91 | 1 | 19.11.01<br>20.11.01<br>28.11.01 | E/1990/5/Add.46 | E/C.12/2001/SR.69<br>E/C.12/2001/SR.70<br>E/C.12/2001/SR.71 | E/C.12/1/Add.73 | 2 | 30.06.06 | | |
| 35. **Cyprus** - Core-document: HRI/CORE/CYP/2007 | | | | | | | | | |
| 03.01.76 | 1 | 23.04.80 | E/1978/8/Add.21 | E/1980/WG.1/SR.17 | E/1980/WG.1/SR.17 | 4, 5<br>6 | 30.06.99<br>30.06.09 | 20.07.07 | E/C.12/CYP/5 |
| | 1 | 16.04.81 | E/1980/6/Add.3 | E/1981/WG.1/SR.6 | E/1981/WG.1/SR.6 | | | | |
| | 1 | 22.04.83 | E/1982/3/Add.19 | E/1983/WG.1/SR.7<br>E/1983/WG.1/SR.8 | E/1983/WG.1/SR.7<br>E/1983/WG.1/SR.8 | | | | |
| | 2 | 27.04.84 | E/1984/7/Add.13 | E/1984/WG.1/SR.18<br>E/1984/WG.1/SR.22 | E/1984/WG.1/SR.18<br>E/1984/WG.1/SR.22 | | | | |
| | 2 | 15.01.90 | E/1986/4/Add.2<br>E/1986/4/Add.26 | E/C.12/1990/SR.2<br>E/C.12/1990/SR.3<br>E/C.12/1990/SR.5 | E/C.12/1990/3, paras. 50-84 | | | | |
| | 3 | 18.11.98<br>19.11.98 | E/1994/104/Add.12 | E/C.12/1998/SR.34<br>E/C.12/1998/SR.35<br>E/C.12/1998/SR.36 | E/C.12/1/Add.28 | | | | |
| 36. **Czech Republic** - Core document: HRI/CORE/1/Add.71/Rev.2 | | | | | | | | | |
| 01.01.93 | 1 | 30.04.02<br>01.05.02 | E/1990/5/Add.47 | E/C.12/2002/SR.3<br>E/C.12/2002/SR.4<br>E/C.12/2002/SR.5 | E/C.12/1/Add.76 | 2 | 30.06.07 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 37. **Democratic People's Republic of Korea** - Core document: HRI/CORE/1/Add.108/Rev.1 | | | | | | | | | |
| 14.12.81 | 1 | 09.03.87 | E/1984/6/Add.7<br>E/1986/3/Add.5 | E/C.12/1987/SR.21<br>E/C.12/1987/SR.22 | E/C.12/1987/5, paras. 260-297 | 3 | 30.06.08 | | |
| | 1 | 25.11.91 | E/1988/5/Add.6 | E/C.12/1991/SR.6<br>E/C.12/1991/SR.8<br>E/C.12/1991/SR.10 | E/C.12/1991/4, paras. 140-157 | | | | |
| | 2 | 19.11.03<br>20.11.03 | E/1990/6/Add.35 | E/C.12/2003/SR.44<br>E/C.12/2003/SR.45<br>E/C.12/2003/SR.46 | E/C.12/1/Add.95 | | | | |
| 38. **Democratic Republic of the Congo** - Core document not submitted | | | | | | | | | |
| 01.02.77 | 1 | 08.02.88 | E/1982/3/Add.41<br>E/1984/6/Add.18<br>E/1986/3/Add.7 | E/C.12/1988/SR.16<br>E/C.12/1988/SR.17<br>E/C.12/1988/SR.18<br>E/C.12/1988/SR.19 | E/C.12/1988/4, paras. 270-303 | 2, 3, 4, 5<br>6 | 30.06.92<br>29.06.12 | 14.08.07 | E/C.12/DRC/5 |
| 39. **Denmark** - Core document: HRI/CORE/1/Add.58 | | | | | | | | | |
| 03.01.76 | 1 | 18.04.80 | E/1978/8/Add.13 | E/1980/WG.1/SR.10 | E/1980/WG.1/SR.10 | 5 | 30.06.09 | | |
| | 1 | 23.04.81 | E/1980/6/Add.15 | E/1981/WG.1/SR.12 | E/1981/WG.1/SR.12 | | | | |
| | 1 | 22.04.83 | E/1982/3/Add.20 | E/1983/WG.1/SR.13<br>E/1983/WG.1/SR.14<br>E/1983/WG.1/SR.15 | E/1983/WG.1/SR.13<br>E/1983/WG.1/SR.14<br>E/1983/WG.1/SR.15 | | | | |
| | 2 | 27.04.84 | E/1984/7/Add.11 | E/1984/WG.1/SR.17<br>E/1984/WG.1/SR.21 | E/1984/WG.1/SR.17<br>E/1984/WG.1/SR.21 | | | | |
| | 2 | 08.02.88 | E/1986/4/Add.16 | E/C.12/1988/SR.8<br>E/C.12/1988/SR.9 | E/C.12/1988/SR.8<br>E/C.12/1988/SR.9 | | | | |
| | 3 | 03.05.99<br>04.05.99 | E/1994/104/Add.15 | E/C.12/1999/SR.11<br>E/C.12/1999/SR.12<br>E/C.12/1999/SR.13 | E/C.12/1/Add.34 | | | | |
| | 4 | 10.11.04 | E/C.12/4/Add.12 | E/C.12/2004/SR.34<br>E/C.12/2004/SR.35<br>E/C.12/2004/SR.36 | E/C.12/1/Add.102 | | | | |
| 40. **Djibouti** - Core document not submitted | | | | | | | | | |
| 05.02.03 | | | | | | 1 | 05.02.04 | | |
| 41 **Dominica** - Core document not submitted | | | | | | | | | |
| 17.09.93 | | | | | | 1<br>2<br>3 | 30.06.95<br>30.06.00<br>30.06.05 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 42. **Dominican Republic** - Core document not submitted | | | | | | | | | |
| 04.04.78 | 1 | 26.11.90 | E/1990/5/Add.4 | E/C.12/1990/SR.43<br>E/C.12/1990/SR.44<br>E/C.12/1990/SR.45<br>E/C.12/1990/SR.47 | E/C.12/1990/8,<br>paras. 213-250 | 3<br>4 | 30.06.99[a]<br>30.06.04 | | |
| | 2 | 03.12.96<br>18.11.97<br>19.11.97 | E/1990/6/Add.7 | E/C.12/1996/SR.29<br>E/C.12/1996/SR.30<br>E/C.12/1997/SR.29<br>E/C.12/1997/SR.30<br>E/C.12/1997/SR.31<br>E/C.12/1997/SR.51 | E/C.12/1/Add.6<br>E/C.12/1/Add.16 | | | | |
| 43. **Ecuador** - Core document: HRI/CORE/1/Add.7 | | | | | | | | | |
| 03.01.76 | 1 | 15.04.80 | E/1978/8/Add.1 | E/1980/WG.1/SR.4<br>E/1980/WG.1/SR.5 | E/1980/WG.1/SR.4<br>E/1980/WG.1/SR.5 | 3 | 30.06.09 | | |
| | 1 | 26.11.90 | E/1986/3/Add.14<br>E/1988/5/Add.7 | E/C.12/1990/SR.37<br>E/C.12/1990/SR.38<br>E/C.12/1990/SR.39 | E/C.12/1990/8,<br>paras. 130-158 | | | | |
| | 2 | 30.04.84 | E/1984/7/Add.12 | E/1984/WG.1/SR.20<br>E/1984/WG.1/SR.22 | E/1984/WG.1/SR.20<br>E/1984/WG.1/SR.22 | | | | |
| | 2 | 05.05.04<br>06.05.04 | E/1994/104/Add.26 | E/C.12/2004/SR.15<br>E/C.12/2004/SR.16<br>E/C.12/2004/SR.17 | E/C.12/1/Add.100 | | | | |
| 44. **Egypt** - Core document: HRI/CORE/1/Add.19 | | | | | | | | | |
| 14.04.82 | 1 | 02.05.00<br>03.05.00 | E/1990/5/Add.38 | E/C.12/2000/SR.12<br>E/C.12/2000/SR.13<br>E/C.12/2000/SR.14 | E/C.12/1/Add.44 | 2<br>3<br>4 | 30.06.95<br>30.06.00<br>30.06.05 | | |
| 45. **El Salvador** - Core document: HRI/CORE/1/Add.34/Rev.2 | | | | | | | | | |
| 29.02.80 | 1 | 09.05.96<br>10.05.96 | E/1990/5/Add.25 | E/C.12/1996/SR.15<br>E/C.12/1996/SR.16<br>E/C.12/1996/SR.18 | E/C.12/1/Add.4 | 3, 4, 5 | 30.06.10 | | |
| | 2 | 08.11.06<br>09.11.04 | E/1990/6/Add.39 | E/C.12/2006/SR.36<br>E/C.12/2006/SR.37 | E/C.12/SLV/CO/2 | | | | |

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[a] The Dominican Republic submitted its third periodic report to the Committee on 13 November 2006. In a letter dated 18 May 2007, the Chairperson of the Committee requested the submission of a revised report prepared in conformity with the reporting guidelines of the Committee.

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 46. **Equatorial Guinea** - Core document: HRI/CORE/1/Add.126 | | | | | | | | | |
| 25.12.87 | | | | | | 1 | 30.06.90 | | |
| | | | | | | 2 | 30.06.95 | | |
| | | | | | | 3 | 30.06.00 | | |
| | | | | | | 4 | 30.06.05 | | |
| 47. **Eritrea** - Core document not submitted | | | | | | | | | |
| 17.07.01 | | | | | | 1 | 30.06.03 | | |
| 48. **Estonia** - Core document: HRI/CORE/1/Add.50/Rev.1 | | | | | | | | | |
| 21.01.92 | 1 | 19.11.02 | E/1990/5/Add.51 | E/C.12/2002/SR.41 | E/C.12/1/Add.85 | 2 | 30.06.07 | | |
| | | 20.11.02 | | E/C.12/2002/SR.42 | | | | | |
| | | | | E/C.12/2002/SR.43 | | | | | |
| 49. **Ethiopia** - Core document not submitted | | | | | | | | | |
| 11.09.93 | | | | | | 1 | 30.06.95 | | |
| | | | | | | 2 | 30.06.00 | | |
| | | | | | | 3 | 30.06.05 | | |
| 50. **Finland** - Core document: HRI/CORE/1/Add.59/Rev.2 | | | | | | | | | |
| 03.01.76 | 1 | 16.04.80 | E/1978/8/Add.14 | E/1980/WG.1/SR.6 | E/1980/WG.1/SR.6 | 6 | 30.06.10 | | |
| | 1 | 21.04.81 | E/1980/6/Add.11 | E/1981/WG.1/SR.10 | E/1981/WG.1/SR.10 | | | | |
| | 1 | 19.04.84 | E/1982/3/Add.28 | E/1984/WG.1/SR.7 | E/1984/WG.1/SR.7 | | | | |
| | | | | E/1984/WG.1/SR.8 | E/1984/WG.1/SR.8 | | | | |
| | 2 | 27.04.84 | E/1984/7/Add.14 | E/1984/WG.1/SR.17 | E/1984/WG.1/SR.17 | | | | |
| | | | | E/1984/WG.1/SR.18 | E/1984/WG.1/SR.18 | | | | |
| | 2 | 18.04.86 | E/1986/4/Add.4 | E/1986/WG.1/SR.8 | E/1986/WG.1/SR.8 | | | | |
| | | | | E/1986/WG.1/SR.9 | E/1986/WG.1/SR.9 | | | | |
| | | | | E/1986/WG.1/SR.11 | E/1986/WG.1/SR.11 | | | | |
| | 2 | 25.11.91 | E/1990/7/Add.1 | E/1991/WG.1/SR.11 | E/1991/WG.1/SR.11 | | | | |
| | | | | E/1991/WG.1/SR.12 | E/1991/WG.1/SR.12 | | | | |
| | | | | E/1991/WG.1/SR.16 | E/1991/WG.1/SR.16 | | | | |
| | 3 | 25.11.96 | E/1994/104/Add.7 | E/C.12/1996/SR.37 | E/C.12/1/Add.8 | | | | |
| | | | | E/C.12/1996/SR.38 | | | | | |
| | | | | E/C.12/1996/SR.40 | | | | | |
| | 4 | 15.11.00 | E/C.12/4/Add.1 | E/C.12/2000/SR.61 | E/C.12/1/Add.52 | | | | |
| | | 16.11.00 | | E/C.12/2000/SR.62/Add.1 | | | | | |
| | | | | E/C.12/2000/SR.63 | | | | | |
| | 5 | 30.06.05 | 10.10.05 | E/C.12/2007/SR.11 | E/C.12/FIN/CO/5 | | | | |
| | | | | E/C.12/2007/SR.12 | | | | | |
| | | | | E/C.12/2007/SR.13 | | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 51. **France** - Core document: HRI/CORE/1/Add.17/Rev.1 | | | | | | | | | |
| 04.02.81 | 1 | 24.04.85 | E/1982/3/Add.30<br>E/1982/3/Add.30/Corr.1 | E/1985/WG.1/SR.5<br>E/1985/WG.1/SR.7 | E/1985/WG.1/SR.5<br>E/1985/WG.1/SR.7 | 3<br>4 | 30.06.06<br>30.06.11 | 06.03.07 | E/C.12/FRA/3 |
| | 1 | 25.04.86 | E/1984/6/Add.11 | E/1986/WG.1/SR.18<br>E/1986/WG.1/SR.19<br>E/1986/WG.1/SR.21 | E/1986/WG.1/SR.18<br>E/1986/WG.1/SR.19<br>E/1986/WG.1/SR.21 | | | | |
| | 1 | 06.02.89 | E/1986/3/Add.10 | E/C.12/1989/SR.12<br>E/C.12/1989/SR.13 | E/C.12/1989, paras. 131-161 | | | | |
| | 2 | 16.11.01<br>23.11.01 | E/1990/6/Add.27 | E/C.12/2001/SR.67<br>E/C.12/2001/SR.68 | E/C.12/1/Add.72 | | | | |
| 52. **Gabon** - Core document: HRI/CORE/1/Add.65/Rev.1 | | | | | | | | | |
| 21.04.83 | | | | | | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| 53. **Gambia** - Core document not submitted | | | | | | | | | |
| 29.03.79 | | | | | | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| 54. **Georgia** - Core document: HRI/CORE/1/Add.90/Rev.1 | | | | | | | | | |
| 03.08.94 | 1 | 26.04.00<br>27.04.00 | E/1990/5/Add.37 | E/C.12/2000/SR.3<br>E/C.12/2000/SR.4<br>E/C.12/2000/SR.5 | E/C.12/1/Add.42 | 3 | 30.06.07 | | |
| | 2 | 14.11.02<br>15.11.02 | E/1990/6/Add.31 | E/C.12/2002/SR.35<br>E/C.12/2002/SR.36 | E/C.12/1/Add.83 | | | | |
| 55. **Germany** - Core document: HRI/CORE/1/Add.75/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 17.04.80<br>18.04.80<br>20.04.81<br>21.04.81 | E/1978/8/Add.8<br>E/1978/8/Add.11<br>E/1980/6/Add.6<br>E/1980/6/Add.10 | E/1980/WG.1/SR.8<br>E/1980/WG.1/SR.10<br>E/1981/WG.1/SR.8<br>E/1981/WG.1/SR.10 | E/1980/WG.1/SR.8<br>E/1980/WG.1/SR.10<br>E/1981/WG.1/SR.8<br>E/1981/WG.1/SR.10 | 5 | 30.06.06 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| **55. Germany** (*cont'd*) | | | | | | | | | |
| | 1 | 19.04.82<br>21.04.82 | E/1982/3/Add.14<br>E/1982/3/Add.15<br>E/1982/3/Add.15/ Corr.1 | E/1982/WG.1/SR.17<br>E/1982/WG.1/SR.18<br>E/1983/WG.1/SR.5 | E/1982/WG.1/SR.17<br>E/1982/WG.1/SR.18<br>E/1983/WG.1/SR.5 | | | | |
| | 2 | 30.04.85<br>29.04.86 | E/1984/7/Add.24<br>E/1984/7/Add.24/ Corr.1<br>E/1984/7/Add.3<br>E/1984/7/Add.23 | E/1983/WG.1/SR.6<br>E/1986/WG.1/SR.22<br>E/1986/WG.1/SR.23<br>E/1986/WG.1/SR.25<br>E/1985/WG.1/SR.12<br>E/1985/WG.1/SR.16 | E/1983/WG.1/SR.6<br>E/1986/WG.1/SR.22<br>E/1986/WG.1/SR.23<br>E/1986/WG.1/SR.25<br>E/1985/WG.1/SR.12<br>E/1985/WG.1/SR.16 | | | | |
| | 2 | 09.03.87 | E/1986/4/Add.10<br>E/1986/4/Add.11 | E/C.12/1987/SR.11<br>E/C.12/1987/SR.12<br>E/C.12/1987/SR.14<br>E/C.12/1987/SR.19<br>E/C.12/1987/SR.20 | E/C.12/1987/5, paras. 115-149, 221-259 | | | | |
| | 2 | 30.11.93<br>01.12.93 | E/1990/7/Add.12 | E/C.12/1993/SR.35<br>E/C.12/1993/SR.36 | E/C.12/1993/17 | | | | |
| | 3 | 23.11.98<br>24.11.98 | E/1994/104/Add.14 | E/C.12/1998/SR.40<br>E/C.12/1998/SR.41/Add.1<br>E/C.12/1998/SR.42 | E/C.12/1/Add.29 | | | | |
| | 4 | 24.08.01 | E/C.12/4/Add.3 | E/C.12/2001/SR.48<br>E/C.12/2001/SR.49 | E/C.12/1/Add.68 | | | | |
| **56. Ghana** - Core document not submitted | | | | | | | | | |
| 07.12.00 | | | | | | 1 | 30.06.03 | | |
| **57. Greece** - Core document: HRI/CORE/1/Add.121 | | | | | | | | | |
| 16.08.85 | 1 | 28.04.2004<br>29.04.2004 | E/1990/5/Add.56 | E/C.12/2004/SR.6<br>E/C.12/2004/SR.7<br>E/C.12/2004/SR.8 | E/C.12/1/Add.97 | 2 | 30.06.09 | | |
| **58. Grenada** - Core document not submitted | | | | | | | | | |
| 06.12.91 | | | | | | 1<br>2<br>3 | 30.06.93<br>30.06.98<br>30.06.03 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 59. **Guatemala** - Core document: HRI/CORE/1/Add.47 | | | | | | | | | |
| 19.08.88 | 1 | 07.05.96<br>08.05.96 | E/1990/5/Add.24 | E/C.12/1996/SR.11<br>E/C.12/1996/SR.12<br>E/C.12/1996/SR.13<br>E/C.12/1996/SR.14 | E/C.12/1/Add.3 | 3 | 30.06.08 | | |
| | 2 | 14.11.03 | E/1990/6/Add.34<br>E/1990/6/Add.34/Rev.1 | E/C.12/2003/SR.37<br>E/C.12/2003/SR.38 | E/C.12/1/Add.93 | | | | |
| 60. **Guinea** - Core document: HRI/CORE/1/Add.80/Rev.1 | | | | | | | | | |
| 24.04.78 | | | | | | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| 61. **Guinea-Bissau** - Core document not submitted | | | | | | | | | |
| 02.10.92 | | | | | | 1<br>2<br>3 | 30.06.94<br>30.06.99<br>30.06.04 | | |
| 62. **Guyana** - Core document: HRI/CORE/1/Add.61 | | | | | | | | | |
| 15.05.77 | 1<br>1 | 30.04.97<br>25.04.85 | E/1990/5/Add.27<br>E/1982/3/Add.5 | E/1984/WG.1/SR.20<br>E/1984/WG.1/SR.22<br>E/1985/WG.1/SR.6 | E/1984/WG.1/SR.20<br>E/1984/WG.1/SR.22<br>E/1985/WG.1/SR.6 | 2<br>3 | 30.06.00<br>30.06.05 | | |
| 63. **Honduras** - Core document: HRI/CORE/1/Add.96 | | | | | | | | | |
| 17.05.81 | 1 | 25.04.01<br>26.04.01 | E/1990/5/Add.40 | E/C.12/2001/SR.5<br>E/C.12/2001/SR.6<br>E/C.12/2001/SR.7 | E/C.12/1/Add.57 | 2 | 30.06.06 | | |
| 64. **Hungary** - Core document: HRI/CORE/1/Add.11 | | | | | | | | | |
| 03.01.76 | 1<br>1<br>1, 2 | 16.04.80<br>15.04.82<br>17.04.86 | E/1978/8/Add.7<br>E/1982/3/Add.10<br>E/1980/6/Add.37<br>E/1986/4/Add.1 | E/1980/WG.1/SR.7<br>E/1982/WG.1/SR.14<br>E/1986/WG.1/SR.6<br>E/1986/WG.1/SR.7<br>E/1986/WG.1/SR.9 | E/1980/WG.1/SR.7<br>E/1982/WG.1/SR.14<br>E/1986/WG.1/SR.6<br>E/1986/WG.1/SR.7<br>E/1986/WG.1/SR.9 | 4, 5, 6 | 30.06.09 | | |
| | 2 | 30.04.84 | E/1984/7/Add.15 | E/1984/WG.1/SR.19<br>E/1984/WG.1/SR.21 | E/1984/WG.1/SR.19<br>E/1984/WG.1/SR.21 | | | | |
| | 2 | 23.11.92 | E/1990/7/Add.10 | E/C.12/1992/SR.9<br>E/C.12/1992/SR.12<br>E/C.12/1992/SR.21 | E/C.12/1992/2,<br>paras. 133-154 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 64. **Hungary** - *(cont'd)* | | | | | | | | | |
| | 3 | 02.05.07<br>03.05.07 | E/1994/104/Add.32 | E/C.12/2007/SR.6<br>E/C.12/2007/SR.7<br>E/C.12/2007/SR.8 | E/C.12/HUN/CO/3 | | | | |
| 65. **Iceland** - Core document: HRI/CORE/1/Add.26 | | | | | | | | | |
| 22.08.79 | 1 | 25.11.93<br>26.11.93 | E/1990/5/Add.6 | E/C.12/1993/SR.29<br>E/C.12/1993/SR.30<br>E/C.12/1993/SR.31 | E/C.12/1993/15 | 4 | 30.06.08 | | |
| | 2 | 27.04.99<br>28.04.99 | E/1990/6/Add.15 | E/C.12/1/SR.3<br>E/C.12/1/SR.4<br>E/C.12/1/SR.5 | E/C.12/1/Add.32 | | | | |
| | 3 | 13.05.03<br>14.05.03 | E/1994/104/Add.25 | E/C.12/2003/SR.14<br>E/C.12/2003/SR.15<br>E/C.12/2003/SR.16 | E/C.12/1/Add.89 | | | | |
| 66. **India** - Core document not submitted | | | | | | | | | |
| 10.07.79 | 1 | 18.04.84 | E/1980/6/Add.34<br>E/1980/6/Add.34/Corr.1 | E/1984/WG.1/SR.6<br>E/1984/WG.1/SR.6 | E/1984/WG.1/SR.6<br>E/1984/WG.1/SR.6 | 2, 3, 4, 5<br>6 | 30.06.91<br>30.06.11 | 23.10.06 | E/C.12/IND/5 |
| | 1 | 28.04.86 | E/1984/6/Add.13 | E/1986/WG.1/SR.20<br>E/1986/WG.1/SR.24 | E/1986/WG.1/SR.20<br>E/1986/WG.1/SR.24 | | | | |
| | 1 | 15.01.90 | E/1988/5/Add.5 | E/C.12/1990/SR.16<br>E/C.12/1990/SR.17<br>E/C.12/1990/SR.19 | E/C.12/1990/3, paras. 212-234 | | | | |
| 67. **Indonesia** - Core document not submitted | | | | | | | | | |
| 23.05.06 | | | | | | 1 | 30.06.08 | | |
| 68. **Iran (Islamic Republic of)** - Core document: HRI/CORE/1/Add.106 | | | | | | | | | |
| 03.01.76 | 1 | 26.11.90 | E/1982/3/Add.43 | E/C.12/1990/WG.1/SR.42<br>E/C.12/1990/WG.1/SR.43<br>E/C.12/1990/WG.1/SR.45 | E/C.12/1990/8, paras. 196-212 | 2<br>3<br>4 | 30.06.95<br>30.06.00<br>30.06.05 | | |
| | 1 | 18.05.93<br>19.05.93 | E/1990/5/Add.9 | E/C.12/1993/SR.7<br>E/C.12/1993/SR.8<br>E/C.12/1993/SR.9 | E/C.12/1993/7 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 69. **Iraq** - Core document not submitted | | | | | | | | | |
| 03.01.76 | 1 | 23.04.81 | E/1980/6/Add.14 | E/1981/WG.1/SR.12 | E/1981/WG.1/SR.12 | 4<br>5 | 30.06.00<br>30.06.05 | | |
| | 1 | 23.04.85 | E/1984/6/Add.3<br>E/1982/3/Add.26 | E/1985/WG.1/SR.3<br>E/1985/WG.1/SR.4<br>E/1985/WG.1/SR.8<br>E/1985/WG.1/SR.11 | E/1985/WG.1/SR.3<br>E/1985/WG.1/SR.4<br>E/1985/WG.1/SR.8<br>E/1985/WG.1/SR.11 | | | | |
| | 2 | 18.04.86 | E/1986/4/Add.3 | E/1986/WG.1/SR.8<br>E/1986/WG.1/SR.11 | E/1986/WG.1/SR.8<br>E/1986/WG.1/SR.11 | | | | |
| | 2 | 09.05.94<br>10.05.94 | E/1990/7/Add.15 | E/C.12/1994/SR.11<br>E/C.12/1994/SR.14 | E/1995/22,<br>paras. 125-143 | | | | |
| | 3 | 20.11.97<br>21.11.97 | E/1994/104/Add.9 | E/C.12/1997/SR.33<br>E/C.12/1997/SR.34<br>E/C.12/1997/SR.35<br>E/C.12/1997/SR.51 | E/C.12/1/Add.17 | | | | |
| 70. **Ireland** - Core document: HRI/CORE/1/Add.15/Rev.1 | | | | | | | | | |
| 08.03.90 | 1 | 04.05.99<br>05.05.99 | E/1990/5/Add.34 | E/C.12/1999/SR.14<br>E/C.12/1999/SR.15/Add.1<br>E/C.12/1999/SR.16 | E/C.12/1/Add.35 | 3 | 30.06.07 | | |
| | 2 | 01.05.02<br>02.05.02 | E/1990/6/Add.29 | E/C.12/2002/SR.6<br>E/C.12/2002/SR.7 | E/C.12/Add.77 | | | | |
| 71. **Israel** - Core document not submitted | | | | | | | | | |
| 03.01.92 | 1 | 17.11.98<br>18.11.98 | E/1990/5/Add.39 | E/C.12/1998/SR.31<br>E/C.12/1998/SR.32<br>E/C.12/1998/SR.33 | E/C.12/1/Add.27 | 3 | 30.06.08 | | |
| | 2 | 15.05.03<br>16.05.03 | E/1990/6/Add.32 | E/C.12/2003/SR.17<br>E/C.12/2003/SR.18<br>E/C.12/2003/SR.19 | E/C.12/1/Add.90 | | | | |
| 72. **Italy** - Core document not submitted | | | | | | | | | |
| 15.12.78 | 1 | 06.04.82 | E/1978/8/Add.34 | E/1982/WG.1/SR.3<br>E/1982/WG.1/SR.4 | E/1982/WG.1/SR.3<br>E/1982/WG.1/SR.4 | 5 | 30.06.09 | | |
| | 1 | 17.04.84 | E/1980/6/Add.31 | E/1984/WG.1/SR.3<br>E/1984/WG.1/SR.5 | E/1984/WG.1/SR.3<br>E/1984/WG.1/SR.5 | | | | |
| | 2 | 23.11.92 | E/1990/6/Add.2 | E/C.12/1992/SR.13<br>E/C.12/1992/SR.14 | E/C.12/1992/2,<br>paras. 155-193 | | | | |
| | 3 | 27.04.00<br>28.04.00 | E/1994/104/Add.19 | E/C.12/2000/SR.6<br>E/C.12/2000/SR.7<br>E/C.12/2000/SR.8 | E/C.12/1/Add.43 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 72. **Italy** - (*cont'd*) | | | | | | | | | |
| | 4 | 15.11.04 | E/C.12/4/Add.13 | E/C.12/2004/SR.38<br>E/C.12/2004/SR.39<br>E/C.12/2004/SR.40 | E/C.12/1/Add.103 | | | | |
| 73. **Jamaica** - Core document: HRI/CORE/1/Add.82 | | | | | | | | | |
| 03.01.76 | 1 | 25.04.80 | E/1978/8/Add.27 | E/1980/WG.1/SR.20 | E/1980/WG.1/SR.20 | 3 | 30.06.03 | | |
| | 1, 2 | 22.01.90<br>24.01.90 | E/1986/3/Add.12<br>E/1988/5/Add.3<br>E/1984/7/Add.30 | E/C.12/1990/SR.10<br>E/C.12/1990/SR.11<br>E/C.12/1990/SR.12<br>E/C.12/1990/SR.15 | E/C.12/1990/3, paras. 134-168 | | | | |
| | 2 | 21.11.01 | E/1990/6/Add.28 | E/C.12/2001/SR.73 | E/C.12/1/Add.75 | | | | |
| 74. **Japan** - Core document: HRI/CORE/1/Add.111 | | | | | | | | | |
| 21.09.79 | 1 | 14.04.82 | E/1982/3/Add.7 | E/1982/WG.1/SR.12<br>E/1982/WG.1/SR.13 | E/1982/WG.1/SR.12<br>E/1982/WG.1/SR.13 | 3 | 30.06.06 | | |
| | 1 | 23.04.84 | E/1984/6/Add.6<br>E/1984/6/Add.6/Corr.1 | E/1984/WG.1/SR.9<br>E/1984/WG.1/SR.10 | E/1984/WG.1/SR.9<br>E/1984/WG.1/SR.10 | | | | |
| | 1 | 28.04.86 | E/1986/3/Add.4<br>E/1986/3/Add.4/Corr.1 | E/1986/WG.1/SR.20<br>E/1986/WG.1/SR.21<br>E/1986/WG.1/SR.23 | E/1986/WG.1/SR.20<br>E/1986/WG.1/SR.21<br>E/1986/WG.1/SR.23 | | | | |
| | 2 | 21.08.01<br>30.08.01 | E/1990/6/Add.21 | E/C.12/2001/SR.42<br>E/C.12/2001/SR.43 | E/C.12/1/Add.67 | | | | |
| 75. **Jordan** - Core document: HRI/CORE/1/Add.18/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 09.03.87 | E/1984/6/Add.15 | E/C.12/1987/SR.6<br>E/C.12/1987/SR.7<br>E/C.12/1987/SR.8 | E/C.12/1987/5, paras. 36-66 | 3 | 30.06.03 | | |
| | 1 | 09.03.87 | E/1986/3/Add.6 | E/C.12/1987/SR.8 | E/C.12/1987/5, paras. 67-85 | | | | |
| | 1 | 28.11.90<br>29.11.90 | E/1982/3/Add.38/Rev.1 | E/C.12/1990/SR.30<br>E/C.12/1990/SR.31<br>E/C.12/1990/SR.32 | E/C.12/1990/8, paras. 56-86 | | | | |
| | 2 | 15.08.00<br>16.08.00 | E/1990/6/Add.17 | E/C.12/2000/SR.30<br>E/C.12/2000/SR.31 | E/C.12/1/Add.46 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 76. **Kazakhstan** - Core document not submitted | | | | | | | | | |
| 24.04.06 | | | | | | 1<br>2 | 30.06.08<br>30.06.13 | 13.11.07 | E/C.12/KZS/1 |
| 77. **Kenya** - Core document not submitted | | | | | | | | | |
| 03.01.76 | 1 | 17.05.93<br>27.05.93 | E/1990/5/Add.17 | E/C.12/1994/SR.12 | E/1995/22, paras. 159-164 | 1<br>2<br>3 | 06.09.06<br>30.06.00<br>30.06.05 | 07.09.06 | E/C.12/KEN/1 |
| 78. **Kuwait** - Core document not submitted | | | | | | | | | |
| 21.08.96 | 1 | 30.04.04<br>03.05.04 | E/1990/5/Add.57 | E/C.12/2004/SR.9<br>E/C.12/2004/SR.10<br>E/C.12/2004/SR.11 | E/C.12/1/Add.98 | 2 | 30.06.09 | | |
| 79. **Kyrgyzstan** - Core document: HRI/CORE/1/Add.101 | | | | | | | | | |
| 07.10.94 | 1 | 23.08.00<br>24.08.00 | E/1990/5/Add.42 | E/C.12/2000/SR.42<br>E/C.12/2000/SR.43<br>E/C.12/2000/SR.44 | E/C.12/1/Add.49 | 2 | 30.06.05 | | |
| 80. **Lao People's Democratic Republic** - Core document not submitted | | | | | | | | | |
| 13.05.07 | | | | | | 1 | 30.06.09 | | |
| 81. **Latvia** - Core document: HRI/CORE/1/Add.123 | | | | | | | | | |
| 14.07.92 | | | | | | 1<br>2<br>3 | 30.06.94<br>30.06.99<br>30.06.04 | 12.08.05 | E/1990/5/Add.70 |
| 82. **Lebanon** - Core document: HRI/CORE/1/Add.27/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 25.05.93<br>26.05.93<br>28.05.93 | E/1990/5/Add.16 | E/C.12/1993/SR.14<br>E/C.12/1993/SR.16<br>E/C.12/1993/SR.21 | E/C.12/1993/10 | 2<br>3<br>4 | 30.06.95<br>30.06.00<br>30.06.05 | | |
| 83. **Lesotho** - Core document: HRI/CORE/1/Add.98 | | | | | | | | | |
| 09.12.92 | | | | | | 1<br>2<br>3 | 30.06.94<br>30.06.99<br>30.06.04 | | |
| 84. **Liberia** - Core document not submitted | | | | | | | | | |
| 22.12.04 | | | | | | 1 | 30.06.06 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| **85. Libyan Arab Jamahiriya** - Core document: HRI/CORE/1/Add.77 | | | | | | | | | |
| 03.01.76 | 1 | 13.05.97 | E/1990/5/Add.25 | E/C.12/1997/SR.20<br>E/C.12/1997/SR.21 | E/C.12/1/Add.15 | 3 | 30.06.07 | | |
| | 2 | 16.11.05<br>17.11.05 | E/1990/6/Add.38 | E/C.12/2005/SR.44<br>E/C.12/2005/SR.45<br>E/C.12/2005/SR.46 | | | | | |
| **86. Liechtenstein** - Core document not submitted | | | | | | | | | |
| 10.03.99 | 1 | 04.10.04 | E/1990/5/Add.66 | E/C.12/2006/SR.6<br>E/C.12/2006/SR.7 | E/C.12/LIE/CO/1 | 2, 3 | 30.06.11 | | |
| **87. Lithuania** - Core document: HRI/CORE/1/Add.97 | | | | | | | | | |
| 20.02.92 | 1 | 27.04.04<br>28.04.04 | E/1990/5/Add.55 | E/C.12/2004/SR.3<br>E/C.12/2004/SR.4<br>E/C.12/2004/SR.5 | E/C.12/1/Add.96 | 2 | 30.06.09 | | |
| **88. Luxembourg** - Core document: HRI/CORE/1/Add.10/Rev.1 | | | | | | | | | |
| 18.11.83 | 1 | 29.11.90<br>30.11.90<br>03.12.90 | E/1990/5/Add.1 | E/C.12/1990/SR.33<br>E/C.12/1990/SR.34<br>E/C.12/1990/SR.35<br>E/C.12/1990/SR.36 | E/1991/23, paras. 87-129 | 4 | 30.06.08 | | |
| | 2 | 09.12.96<br>02.12.97<br>05.12.97 | E/1990/6/Add.9 | E/C.12/1997/SR.48<br>E/C.12/1997/SR.49<br>E/C.12/1997/SR.54 | E/C.12/1/Add.22 | | | | |
| | 3 | 07.05.03 | E/1994/104/Add.24 | E/C.12/2003/SR.5<br>E/C.12/2003/SR.6 | E/C.12/1/Add.86 | | | | |
| **89. Madagascar** - Core document: HRI/CORE/1/Add.31/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 15.04.86 | E/1980/6/Add.39 | E/1986/WG.1/SR.2<br>E/1986/WG.1/SR.3<br>E/1986/WG.1/SR.5 | E/1986/WG.1/SR.2<br>E/1986/WG.1/SR.3<br>E/1986/WG.1/SR.5<br>E/1986/WG.5 | 2<br>3<br>4<br>5 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | 10.08.07 | E/C.12/MDG/2 |
| **90. Malawi** - Core document not submitted | | | | | | | | | |
| 22.03.94 | | | | | | 1<br>2<br>3 | 30.06.96<br>30.06.01<br>30.06.06 | | |
| **91. Maldives** - Core document not submitted | | | | | | | | | |
| 19.12.06 | | | | | | 1 | 30.06.08 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 92. **Mali** - Core document: HRI/CORE/1/Add.87 | | | | | | | | | |
| 03.01.76 | | | | | | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| 93. **Malta** - Core document not submitted | | | | | | | | | |
| 13.12.90 | 1 | 09.11.04 | E/1990/5/Add.58 | E/C.12/2004/SR.32-33 | E/C.12/1/Add.101 | 2 | 30.06.09 | | |
| 94. **Mauritania** - Core document not submitted | | | | | | | | | |
| 17.02.05 | | | | | | 1 | 30.06.07 | | |
| 95. **Mauritius** - Core document: HRI/CORE/1/Add.60/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 27.11.95<br>28.11.95 | E/1990/5/Add.21 | E/C.12/1995/SR.40<br>E/C.12/1995/SR.41<br>E/C.12/1995/SR.43 | E/C.12/1995/14<br>E/C.12/1995/18, paras. 228-247 | 2<br>5 | 30.06.95<br>30.06.10 | 03.03.08 | E/C.12/MUS/4 |
| 96. **Mexico** - Core document: HRI/CORE/MEX/2005 | | | | | | | | | |
| 23.06.81 | 1 | 15.04.82 | E/1982/3/Add.8 | E/1982/WG.1/SR.14<br>E/1982/WG.1/SR.15 | E/1982/WG.1/SR.14<br>E/1982/WG.1/SR.15 | 5, 6 | 30.06.12 | | |
| | 1 | 30.04.86 | E/1984/6/Add.2<br>E/1984/6/Add.10 | E/1986/WG.1/24<br>E/1986/WG.1/26<br>E/1986/WG.1/28 | E/1986/WG.1/24<br>E/1986/WG.1/26<br>E/1986/WG.1/28 | | | | |
| | 1 | 15.01.90 | E/1986/3/Add.13 | E/C.12/1990/SR.6<br>E/C.12/1990/SR.7<br>E/C.12/1990/SR.9 | E/C.12/1990/3, paras. 85-112 | | | | |
| | 2 | 29.11.93<br>30.11.93 | E/1990/6/Add.4 | E/C.12/1993/SR.32<br>E/C.12/1993/SR.33<br>E/C.12/1993/SR.34<br>E/C.12/1993/SR.35 | E/C.12/1993/16 | | | | |
| | 3 | 25.11.99<br>26.11.99<br>02.12.99 | E/1994/104/Add.18 | E/C.12/1999/SR.44<br>E/C.12/1999/SR.45<br>E/C.12/1999/SR.46<br>E/C.12/1999/SR.54 | E/C.12/1/Add.41 | | | | |
| | 4 | 30.06.06 | E/C.12/MEX/CO/4 | E/C.12/2006/SR.13<br>E/C.12/2006/SR.14<br>E/C.12/2006/SR.15 | E/C.12/MEX/CO/4 | | | | |
| 97. **Monaco** - Core document: HRI/CORE/1/Add.118 | | | | | | | | | |
| 28.11.97 | 1 | 13.04.04 | E/1990/5/Add.64 | E/C.12/2006/SR.3<br>E/C.12/2006/SR.4 | E/C.12/MCO/CO/1 | 2, 3 | 30.06.09 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 98. **Mongolia** - Core document: HRI/CORE/MNG/2005 | | | | | | | | | |
| 03.01.76 | 1 | 16.04.80 | E/1978/8/Add.6 | E/1980/WG.1/SR.7 | E/1980/WG.1/SR.7 | 4 | 30.06.03 | | |
| | 1 | 20.04.81 | E/1980/6/Add.7 | E/1981/WG.1/SR.8<br>E/1981/WG.1/SR.9 | E/1981/WG.1/SR.8<br>E/1981/WG.1/SR.9 | | | | |
| | 1 | 16.04.82 | E/1982/3/Add.11 | E/1982/WG.1/SR.15<br>E/1982/WG.1/SR.16 | E/1982/WG.1/SR.15<br>E/1982/WG.1/SR.16 | | | | |
| | 2 | 26.04.84 | E/1984/7/Add.6 | E/1984/WG.1/SR.16<br>E/1984/WG.1/SR.18 | E/1984/WG.1/SR.16<br>E/1984/WG.1/SR.18 | | | | |
| | 2 | 08.02.88 | E/1986/4/Add.9 | E/C.12/1988/SR.5<br>E/C.12/1988/SR.7 | E/C.12/1988/4,<br>paras. 62-89 | | | | |
| | 3 | 17.08.00<br>18.08.00<br>28.08.00 | E/1994/104/Add.21 | E/C.12/2000/SR.34<br>E/C.12/2000/SR.35<br>E/C.12/2000/SR.36<br>E/C.12/2000/SR.49 | E/C.12/1/Add.47 | | | | |
| 99. **Montenegro** - Core document not submitted | | | | | | | | | |
| 03.06.06[b] | 1[c] | 02.05.05<br>03.05.05 | E/1990/5/Add.61 | E/C.12/2005/SR.11<br>E/C.12/2005/SR.12 | E/C.12/1/Add.108 | 1 | 30.06.08 | | |
| 100. **Morocco** - Core document: HRI/CORE/1/Add.23/Rev.1 | | | | | | | | | |
| 03.08.79 | 1 | 05.06.94<br>06.06.94<br>10.06.94 | E/1990/5/Add.13 | E/C.12/1994/SR.8<br>E/C.12/1994/SR.9<br>E/C.12/1994/SR.10 | E/C.12/1994/5 | 4 | 30.06.09 | | |
| | 2 | 22.11.00<br>23.11.00<br>30.11.00 | E/1990/6/Add.20 | E/C.12/2000/SR.70<br>E/C.12/2000/SR.71<br>E/C.12/2000/SR.72 | E/C.12/1/Add.55 | | | | |
| | 3 | 10.05.04<br>11.05.04 | E/1994/104/Add.29 | E/C.12/2006/SR.16<br>E/C.12/2006/SR.17<br>E/C.12/2006/SR.18 | E/C.12/MAR/CO/3 | | | | |

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[b] In a letter dated 10 October 2006 to the Secretary-General of the United Nations, the Government of the Republic of Montenegro communicated that it succeeds to the Covenant with effect from 3 June 2006, which corresponds to the date that the Republic of Montenegro assumed responsibility for its international relations and the Parliament of Montenegro adopted the Declaration of Independence.

[c] Consideration of the initial report of Serbia and Montenegro.

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| **101. Namibia** - Core document not submitted | | | | | | | | | |
| 28.02.95 | | | | | | 1<br>2<br>3 | 30.06.97<br>30.06.02<br>30.06.07 | | |
| **102. Nepal** - Core document: HRI/CORE/1/Add.42 | | | | | | | | | |
| 14.08.91 | 1 | 22.08.01<br>23.08.01<br>29.08.01 | E/1990/5/Add.45 | E/C.12/2001/SR.44<br>E/C.12/2001/SR.45<br>E/C.12/2001/SR.46 | E/C.12/1/Add.66 | 3 | 30.06.11 | | |
| | 2 | 01.05.07<br>02.05.07 | E/C.12/NPL/2 | E/C.12/2007/SR.3<br>E/C.12/2007/SR.4<br>E/C.12/2007/SR.5 | E/C.12/NPL/CO/2 | | | | |
| **103. Netherlands** - Core document: HRI/CORE/1/Add.66 | | | | | | | | | |
| 11.03.79 | 1 | 17.04.84 | E/1980/6/Add.33 | E/1984/WG.1/SR.4<br>E/1984/WG.1/SR.5<br>E/1984/WG.1/SR.6<br>E/1984/WG.1/SR.8<br>E/1984/WG.1/SR.14<br>E/1984/WG.1/SR.18 | E/1984/WG.1/SR.4<br>E/1984/WG.1/SR.5<br>E/1984/WG.1/SR.6<br>E/1984/WG.1/SR.8<br>E/1984/WG.1/SR.14<br>E/1984/WG.1/SR.18 | 4, 5 | 30.06.07 | | |
| | 1 | 23.04.86 | E/1982/3/Add.35 | | | | | | |
| | 1, 2 | 06.02.89 | E/1984/6/Add.20 | E/C.12/1989/SR.14<br>E/C.12/1989/SR.15 | E/C.12/1989/5, paras. 193-228 | | | | |
| | 2 | 05.05.98<br>06.05.98<br>07.05.98 | E/1990/6/Add.11 | E/C.12/1998/SR.13<br>E/C.12/1998/SR.14<br>E/C.12/1998/SR.15<br>E/C.12/1998/SR.16<br>E/C.12/1998/SR.17 | E/C.12/1/Add.25 | | | | |
| | 3 | 07.11.06<br>08.11.06 | E/1994/104/Add.30 | E/C.12/2006/SR.33<br>E/C.12/2006/SR.34<br>E/C.12/2006/SR.35 | E/C.12/NLD/CO/3 | | | | |
| (Antilles) | 1 | 09.03.87 | E/1984/6/Add.14 | E/C.12/1987/SR.5<br>E/C.12/1987/SR.6 | E/C.12/1987/5, paras. 23-35 | | | | |
| | 1 | 06.02.89 | E/1982/3/Add.44 | E/C.12/1989/SR.14<br>E/C.12/1989/SR.15 | E/C.12/1989/5, paras. 229-240 | | | | |
| | 2 | 05.05.98<br>06.05.98<br>07.05.98 | E/1990/6/Add.12 | E/C.12/1998/SR.13<br>E/C.12/1998/SR.14<br>E/C.12/1998/SR.15<br>E/C.12/1998/SR.16<br>E/C.12/1998/SR.17 | E/C.12/1/Add.25 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 103. **Netherlands** (*cont'd*) | | | | | | | | | |
| | 3 | 04.05.07 | E/C.12/ANT/3 | E/C.12/2007/SR.9<br>E/C.12/2007/SR.10 | E/C.12/NLD/CO/3/ Add.1 | | | | |
| (Aruba) | 2 | 05.05.98<br>06.05.98<br>07.05.98 | E/1990/6/Add.13 | E/C.12/1998/SR.13<br>E/C.12/1998/SR.14<br>E/C.12/1998/SR.15<br>E/C.12/1998/SR.16<br>E/C.12/1998/SR.17 | E/C.12/1/Add.25 | | | | |
| 104. **New Zealand** - Core document: HRI/CORE/NZL/2006 | | | | | | | | | |
| 28.03.79 | 1 | 23.11.93<br>24.11.93 | E/1990/5/Add.5<br>E/1990/5/Add.11<br>E/1990/5/Add.12 | E/C.12/1993/SR.24<br>E/C.12/1993/SR.25<br>E/C.12/1993/SR.26 | E/C.12/1993/13 | 3 | 30.06.08 | | |
| | 2 | 12.05.03 | E/1990/6/Add.33 | E/C.12/2003/SR.11<br>E/C.12/2003/SR.12 | E/C.12/1/Add.88 | | | | |
| 105. **Nicaragua** - Core document: HRI/CORE/NIC/2007 | | | | | | | | | |
| 12.06.80 | 1 | 01.05.85 | E/1982/3/Add.31<br>E/1982/3/Add.31/ Corr.1 | E/1985/WG.1/SR.15 | E/1985/WG.1/SR.15 | 2, 3, 4<br>5 | 30.06.95<br>30.06.10 | 20.06.07 | E/C.12/NIC/4 |
| | 1 | 24.04.86 | E/1984/6/Add.9 | E/1986/WG.1/SR.16<br>E/1986/WG.1/SR.17<br>E/1986/WG.1/SR.19 | E/1986/WG.1/SR.16<br>E/1986/WG.1/SR.17<br>E/1986/WG.1/SR.19 | | | | |
| | 1 | 24.11.93<br>25.11.93 | E/1986/3/Add.15<br>E/1986/3/Add.16 | E/C.12/1993/SR.27<br>E/C.12/1993/SR.28 | E/C.12/1993/14 | | | | |
| 106. **Niger** - Core document: HRI/CORE/1/Add.45/Rev.1 | | | | | | | | | |
| 07.06.86 | | | | | | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| 107. **Nigeria** - Core document not submitted | | | | | | | | | |
| 29.10.93 | 1 | 29.04.98<br>01.05.98 | E/1990/5/Add.31 | E/C.12/1998/SR.6<br>E/C.12/1998/SR.7<br>E/C.12/1998/SR.8<br>E/C.12/1998/SR.9 | E/C.12/1/Add.23 | 2<br>3 | 30.06.00<br>30.06.05 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 108. **Norway** - Core document: HRI/CORE/1/Add.6 | | | | | | | | | |
| 03.01.76 | 1 | 15.04.80 | E/1978/8/Add.12 | E/1980/WG.1/SR.5 | E/1980/WG.1/SR.5 | 5 | 30.06.10 | | |
| | 1 | 24.04.81 | E/1980/6/Add.5 | E/1981/WG.1/SR.14 | E/1981/WG.1/SR.14 | | | | |
| | 1 | 16.04.82 | E/1982/3/Add.12 | E/1982/WG.1/SR.16 | E/1982/WG.1/SR.16 | | | | |
| | 2 | 30.04.84 | E/1984/7/Add.16 | E/1984/WG.1/SR.19<br>E/1984/WG.1/SR.22 | E/1984/WG.1/SR.19<br>E/1984/WG.1/SR.22 | | | | |
| | 2 | 08.02.88 | E/1986/4/Add.21 | E/C.12/1988/SR.14<br>E/C.12/1988/SR.15 | E/C.12/1988/4, paras. 219-239 | | | | |
| | 2 | 23.11.92 | E/1990/7/Add.7 | E/C.12/1992/SR.4<br>E/C.12/1992/SR.5<br>E/C.12/1992/SR.12 | E/C.12/1992/2, paras. 80-107 | | | | |
| | 3 | 22.11.95<br>23.11.95 | E/1994/104/Add.3 | E/C.12/1995/SR.34<br>E/C.12/1995/SR.36<br>E/C.12/1995/SR.37 | E/C.12/1995/13 | | | | |
| | 4 | 03.05.05 | E/C.12/4/Add.14 | E/C.12/2005/SR.14-15 | E/C.12/1/Add.109 | | | | |
| 109. **Panama** - Core document: HRI/CORE/1/Add.14/Rev.1 | | | | | | | | | |
| 08.06.77 | 1 | 07.04.82 | E/1980/6/Add.20<br>E/1980/6/Add.23 | E/1982/WG.1/SR.5 | E/1982/WG.1/SR.5 | 3 | 30.06.04 | | |
| | 1 | 25.11.91 | E/1984/6/Add.19<br>E/1988/5/Add.9<br>E/1986/4/Add.22 | E/C.12/1991/SR.3<br>E/C.12/1991/SR.5<br>E/C.12/1991/SR.8 | E/C.12/1991/4, paras. 95-139 | | | | |
| | 2 | 16.08.01<br>27.08.01 | E/1990/6/Add.24 | E/C.12/2001/SR.36 | E/C.12/1/Add.64 | | | | |
| 110. **Paraguay** - Core document: HRI/CORE/1/Add.24 | | | | | | | | | |
| 10.09.92 | 1 | 30.04.96<br>01.05.96 | E/1990/5/Add.23 | E/C.12/1996/SR.1<br>E/C.12/1996/SR.2<br>E/C.12/1996/SR.4 | E/C.12/1/Add.1 | 4 | 30.06.11 | | E/C.12/PRY/3 |
| | 2, 3 | 13.11.07<br>14.11.07 | E/C.12/PRY/3 | E/C.12/2007/SR.44<br>E/C.12/2007/SR.45<br>E/C.12/2007/SR.46 | E/C 12/PRY/CO/3 | | | | |
| 111. **Peru** - Core document: HRI/CORE/1/Add.43/Rev.1 | | | | | | | | | |
| 28.07.78 | 1 | 24.04.84 | E/1984/6/Add.5 | E/1984/WG.1/SR.11<br>E/1984/WG.1/SR.18 | E/1984/WG.1/SR.11<br>E/1984/WG.1/SR.18 | 2<br>3 | 30.06.95<br>30.06.00 | | |
| | 1 | 07.05.97<br>09.05.97 | E/1990/5/Add.29 | E/C.12/1997/SR.5<br>E/C.12/1997/SR.16<br>E/C.12/1997/SR.17<br>E/C.12/1997/SR.26 | E/C.12/1/Add.14 | 4 | 30.06.05 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 112. **Philippines** - Core document: HRI/CORE/1/Add.37 | | | | | | | | | |
| 03.01.76 | 1 | 18.04.80 | E/1978/8/Add.4 | E/1980/WG.1/SR.11 | E/1980/WG.1/SR.11 | 2, 3, 4<br>5 | 30.06.95<br>30.06.10 | 18.12.06 | E/C.12/PHL/4 |
| | 1 | 15.01.90 | E/1988/5/Add.2 | E/C.12/1990/SR.8<br>E/C.12/1990/SR.9<br>E/C.12/1990/SR.11 | E/C.12/1990/3, paras. 113-133 | | | | |
| | 1 | 08.05.95<br>09.05.95 | E/1986/3/Add.17 | E/C.12/1995/SR.11<br>E/C.12/1995/SR.2<br>E/C.12/1995/SR.14 | E/C.12/1995/7 | | | | |
| 113. **Poland** - Core document: HRI/CORE/1/Add.25/Rev.2 | | | | | | | | | |
| 18.06.77 | 1 | 24.04.80 | E/1978/8/Add.23 | E/1980/WG.1/SR.18<br>E/1980/WG.1/SR.19 | E/1980/WG.1/SR.18<br>E/1980/WG.1/SR.19 | 5<br>6 | 30.06.07<br>30.06.12 | 05.09.07 | E/C.12/POL/5 |
| | 1 | 22.04.81 | E/1980/6/Add.12 | E/1981/WG.1/SR.11 | E/1981/WG.1/SR.11 | | | | |
| | 1 | 25.04.83 | E/1982/3/Add.21 | E/1983/WG.1/SR.9<br>E/1983/WG.1/SR.10 | E/1983/WG.1/SR.9<br>E/1983/WG.1/SR.10 | | | | |
| | 2 | 30.04.86 | E/1984/7/Add.26<br>E/1984/7/Add.27 | E/1986/WG.1/SR.25<br>E/1986/WG.1/SR.26<br>E/1986/WG.1/SR.27 | E/1986/WG.1/SR.25<br>E/1986/WG.1/SR.26<br>E/1986/WG.1/SR.27 | | | | |
| | 2 | 06.02.89 | E/1986/4/Add.12 | E/C.12/1989/SR.5<br>E/C.12/1989/SR.6 | E/C.12/1989/5, paras. 28-52 | | | | |
| | 2 | 23.11.92 | E/1990/7/Add.9 | E/C.12/1992/SR.6<br>E/C.12/1992/SR.7<br>E/C.12/1992/SR.15 | E/C.12/1992/2, paras. 108-132 | | | | |
| | 3 | 04.05.98<br>05.05.98 | E/1994/104/Add.13 | E/C.12/1998/SR.10<br>E/C.12/1998/SR.11<br>E/C.12/1998/SR.12 | E/C.12/1/Add.26 | | | | |
| | 4 | 13.11.02<br>14.11.02 | E/C.12/4/Add.9 | E/C.12/2002/SR.33<br>E/C.12/2002/SR.34 | E/C.12/1/Add.82 | | | | |
| 114. **Portugal** - Core document: HRI/CORE/1/Add.20 | | | | | | | | | |
| 31.10.78 | 1 | 23.04.85 | E/1980/6/Add.35/ Rev.1 | E/1985/WG.1/SR.2 | E/1985/WG.1/SR.2 | 4 | 30.06.05 | | |
| | 1 | 25.04.85 | E/1982/3/Add.27/ Rev.1 | E/1985/WG.1/SR.4<br>E/1985/WG.1/SR.6 | E/1985/WG.1/SR.4<br>E/1985/WG.1/SR.6 | | | | |
| | 2 | 04.05.95<br>05.05.95 | E/1990/6/Add.6 | E/1985/WG.1/SR.9<br>E/C.12/1995/SR.7<br>E/C.12/1995/SR.8<br>E/C.12/1995/SR.10 | E/1985/WG.1/SR.9<br>E/C.12/1995/4 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 114. **Portugal** - (*cont'd*) | | | | | | | | | |
| | 3 | 14.11.00<br>15.11.00<br>24.11.00 | E/1994/104/Add.20 | E/C.12/2000/SR.58<br>E/C.12/2000/SR.59<br>E/C.12/2000/SR.60<br>E/C.12/2000/SR.74 | E/C.12/1/Add.53 | | | | |
| (Macau) | 2 | 20.11.96<br>21.11.96 | E/1990/6/Add.8 | E/C.12/1996/SR.31<br>E/C.12/1996/SR.33 | E/C.12/1/Add.9 | | | | |
| 115. **Republic of Korea** - Core document: HRI/CORE/1/Add.125 | | | | | | | | | |
| 10.07.90 | 1 | 02.05.95<br>03.05.95 | E/1990/5/Add.19 | E/C.12/1995/SR.3<br>E/C.12/1995/SR.4<br>E/C.12/1995/SR.6 | E/C.12/1995/3 | 3<br>4 | 30.06.06<br>30.06.11 | 27.06.07 | E/C.12/KOR/3 |
| | 2 | 30.04.01<br>01.05.01<br>09.05.01 | E/1990/6/Add.23 | E/C.12/2001/SR.12<br>E/C.12/2001/SR.13<br>E/C.12/2001/SR.14 | E/C.12/1/Add.59 | | | | |
| 116. **Republic of Moldova** - Core document: HRI/CORE/1/Add.114 | | | | | | | | | |
| 26.04.93 | 1 | 11.11.03<br>12.11.03 | E/1990/5/Add.52 | E/C.12/2003/SR.32<br>E/C.12/2003/SR.33<br>E/C.12/2003/SR.34 | E/C.12/1/Add.91 | 2 | 30.06.08 | | |
| 117. **Romania** - Core document: HRI/CORE/1/Add.13/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 23.04.80 | E/1978/8/Add.20 | E/1980/WG.1/SR.16<br>E/1980/WG.1/SR.17 | E/1980/WG.1/SR.16<br>E/1980/WG.1/SR.17 | 3<br>4<br>5 | 30.06.94<br>30.06.99<br>30.06.04 | | |
| | 1 | 16.04.81 | E/1980/6/Add.1 | E/1981/WG.1/SR.5 | E/1981/WG.1/SR.5 | | | | |
| | 1 | 19.04.82 | E/1982/3/Add.13 | E/1982/WG.1/SR.17<br>E/1982/WG.1/SR.18 | E/1982/WG.1/SR.17<br>E/1982/WG.1/SR.18 | | | | |
| | 2 | 29.04.85 | E/1984/7/Add.17 | E/1985/WG.1/SR.10<br>E/1985/WG.1/SR.13 | E/1985/WG.1/SR.10<br>E/1985/WG.1/SR.13 | | | | |
| | 2 | 29.04.85 | E/1986/4/Add.17 | E/C.12/1988/SR.6 | E/C.12/1988/4,<br>paras. 90-116 | | | | |
| | 2 | 04.05.94<br>05.05.94<br>10.05.94 | E/1990/7/Add.14 | E/C.12/1994/SR.5<br>E/C.12/1994/SR.7<br>E/C.12/1994/SR.13 | E/C.12/1994/4<br>E/1995/22,<br>paras. 83-100 | | | | |
| 118. **Russian Federation** - Core document: HRI/CORE/1/Add.52/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 22.04.80 | E/1978/8/Add.16 | E/1980/WG.1/SR.14 | E/1980/WG.1/SR.14 | 5 | 30.06.08 | | |
| | 1 | 24.04.81 | E/1980/6/Add.17 | E/1981/WG.1/SR.14<br>E/1981/WG.1/SR.15 | E/1981/WG.1/SR.14<br>E/1981/WG.1/SR.15 | | | | |
| | 1 | 14.04.82 | E/1982/3/Add.1 | E/1982/WG.1/SR.11<br>E/1982/WG.1/SR.12 | E/1982/WG.1/SR.11<br>E/1982/WG.1/SR.12 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 118. **Russian Federation** - (*cont'd*) | | | | | | | | | |
| | 2 | 23.04.84 | E/1984/7/Add.7 | E/1984/WG.1/SR.9<br>E/1984/WG.1/SR.10 | E/1984/WG.1/SR.9<br>E/1984/WG.1/SR.10 | | | | |
| | 2 | 09.03.87 | E/1986/4/Add.14 | E/C.12/1987/SR.16<br>E/C.12/1987/SR.17<br>E/C.12/1987/SR.18 | E/C.12/1987/5, paras. 170-220 | | | | |
| | 3 | 05.05.97<br>06.05.97<br>07.05.97 | E/1994/104/Add.8 | E/C.12/1997/SR.11<br>E/C.12/1997/SR.12<br>E/C.12/1997/SR.13<br>E/C.12/1997/SR.14 | E/C.12/1/Add.13 | | | | |
| | 4 | 17.11.03<br>18.11.03 | E/C.12/4/Add.10 | E/C.12/2003/SR.4<br>E/C.12/2003/SR.42<br>E/C.12/2003/SR.43 | E/C.12/1/Add.94 | | | | |
| 119. **Rwanda** - Core document not submitted | | | | | | | | | |
| 03.01.76 | 1 | 23.04.84 | E/1984/6/Add.4 | E/1984/WG.1/SR.10<br>E/1984/WG.1/SR.12 | E/1984/WG.1/SR.10<br>E/1984/WG.1/SR.12 | 2<br>3<br>4<br>5 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| | 1 | 24.04.86 | E/1986/3/Add.1 | E/1986/WG.1/SR.16<br>E/1986/WG.1/SR.19 | E/1986/WG.1/SR.16<br>E/1986/WG.1/SR.19 | | | | |
| | 1 | 06.02.89 | E/1982/3/Add.42 | E/C.12/1989/SR.10<br>E/C.12/1989/SR.11<br>E/C.12/1989/SR.12 | E/C.12/1989/5, paras. 162-192 | | | | |
| | 2 | 06.02.89 | E/1984/7/Add.29 | E/C.12/1989/SR.10<br>E/C.12/1989/SR.11<br>E/C.12/1989/SR.12 | E/C.12/1989/5, paras. 162-192 | | | | |
| 120. **Saint Vincent and the Grenadines** - Core document: HRI/CORE/1/Add.36 | | | | | | | | | |
| 09.02.82 | | | | | | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| 121. **San Marino** - Core document: HRI/CORE/1/Add.119 | | | | | | | | | |
| 18.01.86 | 1, 2, 3, 4 | 09.11.07 | E/C.12/SMR/4 | E/C.12/2007/SR.39<br>E/C.12/2007/SR.40 | E/C.12/SMR/CO/4 | 5 | 30.06.10 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 122. **Senegal** - Core document: HRI/CORE/1/Add.51/Rev.1 | | | | | | | | | |
| 13.05.78 | 1 | 22.04.81 | E/1980/6/Add.13/ Rev.1 | E/1981/WG.1/SR.11 | E/1981/WG.1/SR.11 | 3 | 30.06.03 | | |
| | 1 | 27.04.83 | E/1982/3/Add.17 | E/1983/WG.1/SR.14<br>E/1983/WG.1/SR.15<br>E/1983/WG.1/SR.16 | E/1983/WG.1/SR.14<br>E/1983/WG.1/SR.15<br>E/1983/WG.1/SR.16 | | | | |
| | 1 | 01.12.93<br>02.12.93 | E/1984/6/Add.22 | E/C.12/1993/SR.37<br>E/C.12/1993/SR.38 | E/C.12/1993/18 | | | | |
| | 2 | 14.08.01<br>28.08.01 | E/1990/6/Add.25 | E/C.12/2001/SR.32<br>E/C.12/2001/SR.33 | E/C.12/1/Add.62 | | | | |
| 123. **Serbia** - Core document not submitted | | | | | | | | | |
| 12.03.01 | 1[d] | 02.05.05<br>03.05.05 | E/1990/5/Add.61 | E/C.12/2005/SR.11<br>E/C.12/2005/SR.12<br>E/C.12/2005/SR.13 | E/C.12/1/Add.108 | 1 | 30.06.10 | | |
| 124. **Seychelles** - Core document not submitted | | | | | | | | | |
| 05.08.92 | | | | | | 1<br>2<br>3 | 30.06.94<br>30.06.99<br>30.06.04 | | |
| 125. **Sierra Leone** - Core document not submitted | | | | | | | | | |
| 23.11.96 | | | | | | 1<br>2 | 30.06.98<br>30.06.03 | | |
| 126. **Slovakia** - Core document: HRI/CORE/1/Add.120 | | | | | | | | | |
| 28.05.93 | 1 | 12.11.02<br>13.11.02 | E/1990/5/Add.49 | E/C.12/2002/SR.30<br>E/C.12/2002/SR.31<br>E/C.12/2002/SR.32 | E/C.12/1/Add.81 | 2 | 30.06.07 | | |
| 127. **Slovenia** - Core document: HRI/CORE/1/Add.35 | | | | | | | | | |
| 06.07.92 | 1 | 07.11.05<br>08.11.05 | E/1990/5/Add.62 | E/C.12/2005/SR.32<br>E/C.12/2005/SR.33<br>E/C.12/2005/SR.34 | E/C.12/SVN/CO/1 | 2 | 30.06.10 | | |
| 128. **Solomon Islands** - Core document not submitted | | | | | | | | | |
| 17.03.82 | 1 | 18.12.02 | E/1990/5/Add.50 | E/C.12/2002/SR.38<br>E/C.12/2002/SR.30 | E/C.12/1/Add.84 | 2 | 30.06.05 | | |

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[d] Consideration of the initial report of Serbia and Montenegro.

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 129. **Somalia** - Core document not submitted | | | | | | | | | |
| 24.04.90 | | | | | | 1<br>2<br>3<br>4 | 30.06.92<br>29.06.97<br>29.06.02<br>29.06.07 | | |
| 130. **Spain** - Core document: HRI/CORE/1/Add.2/Rev.2 | | | | | | | | | |
| 27.07.77 | 1 | 25.04.80 | E/1978/8/Add.26 | E/1980/WG.1/SR.20 | E/1980/WG.1/SR.20 | 5 | 30.06.09 | | |
| | 1 | 08.04.82 | E/1980/6/Add.28 | E/1982/WG.1/SR.7 | E/1982/WG.1/SR.7 | | | | |
| | 1 | 25.04.83 | E/1982/3/Add.22 | E/1983/WG.1/SR.10<br>E/1983/WG.1/SR.11 | E/1983/WG.1/SR.10<br>E/1983/WG.1/SR.11 | | | | |
| | 2 | 02.04.84 | E/1984/7/Add.2 | E/1984/WG.1/SR.12<br>E/1984/WG.1/SR.14 | E/1984/WG.1/SR.12<br>E/1984/WG.1/SR.14 | | | | |
| | 2 | 21.04.86 | E/1986/4/Add.6 | E/1986/WG.1/SR.10<br>E/1986/WG.1/SR.13 | E/1986/WG.1/SR.10<br>E/1986/WG.1/SR.13 | | | | |
| | 2 | 25.04.91 | E/1990/7/Add.3 | E/C.12/1991/SR.13<br>E/C.12/1991/SR.14<br>E/C.12/1991/SR.16<br>E/C.12/1991/SR.22 | E/C.12/1991/4, paras. 260-293 | | | | |
| | 3 | 01.05.96<br>03.05.96 | E/1990/104/Add.5 | E/C.12/1996/SR.3<br>E/C.12/1996/SR.5<br>E/C.12/1996/SR.6<br>E/C.12/1996/SR.7 | E/C.12/1/Add.2 | | | | |
| | 4 | 03.04.04<br>04.04.04 | E/C.12/4/Add.11 | E/C.12/2004/SR.12<br>E/C.12/2004/SR.13<br>E/C.12/2004/SR.14 | E/C.12/1/Add.99 | | | | |
| 131. **Sri Lanka** - Core document: HRI/CORE/1/Add.48 | | | | | | | | | |
| 11.09.80 | 1 | 28.04.98<br>29.04.98 | E/1990/5/Add.32 | E/C.12/1998/SR.3<br>E/C.12/1998/SR.4<br>E/C.12/1998/SR.5 | E/C.12/1/Add.24 | 2<br>3<br>4 | 30.06.95<br>30.06.00<br>30.06.05 | | |
| 132. **Sudan** - Core document: HRI/CORE/1/Add.99/Rev.1 | | | | | | | | | |
| 18.06.86 | 1 | 21.08.00<br>22.08.00<br>30.08.00 | E/1990/5/Add.41 | E/C.12/2000/SR.38<br>E/C.12/2000/SR.39<br>E/C.12/2000/SR.40<br>E/C.12/2000/SR.41<br>E/C.12/2000/SR.53 | E/C.12/1/Add.48 | 2 | 30.06.03 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 133. **Suriname** - Core document: HRI/CORE/1/Add.39/Rev.1 | | | | | | | | | |
| 28.03.77 | 1 | 08.12.94 | E/1990/5/Add.20 | E/C.12/1994/SR.54<br>E/C.12/1994/SR.55 | E/C.12/1994/18<br>E/C.12/1995/6 | 2<br>3<br>4 | 30.06.95<br>30.06.00<br>30.06.05 | | |
| 134. **Swaziland** - Core document: HRI/CORE/1/Add.39/Rev.1 | | | | | | | | | |
| 26.06.04 | | | | | | 1 | 30.06.05 | | |
| 135. **Sweden** - Core document: HRI/CORE/1/Add.4/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 22.04.80 | E/1978/8/Add.5 | E/1980/WG.1/SR.15 | E/1980/WG.1/SR.15 | 5 | 30.06.06 | 26.07.06 | E/C.12/SWE/5 |
| | 1 | 20.04.81 | E/1980/6/Add.8 | E/1981/WG.1/SR.9 | E/1981/WG.1/SR.9 | 6 | 30.06.11 | | |
| | 1 | 20.04.82 | E/1982/3/Add.2 | E/1982/WG.1/SR.19<br>E/1982/WG.1/SR.20 | E/1982/WG.1/SR.19<br>E/1982/WG.1/SR.20 | | | | |
| | 2 | 25.04.84 | E/1984/7/Add.5 | E/1984/WG.1/SR.14<br>E/1984/WG.1/SR.16 | E/1984/WG.1/SR.14<br>E/1984/WG.1/SR.16 | | | | |
| | 2 | 08.02.88 | E/1986/4/Add.13 | E/C.12/1988/SR.10<br>E/C.12/1988/SR.11 | E/C.12/1988/4, paras. 134-151 | | | | |
| | 2 | 25.11.91 | E/1990/7/Add.2 | E/C.12/1991/SR.11<br>E/C.12/1991/SR.12<br>E/C.12/1991/SR.13<br>E/C.12/1991/SR.18 | E/C.12/1991/4, paras. 222-259 | | | | |
| | 3 | 09.05.95<br>10.05.95 | E/1994/104/Add.1 | E/C.12/1995/SR.13<br>E/C.12/1995/SR.15<br>E/C.12/1995/SR.16 | E/C.12/1995/5 | | | | |
| | 4 | 13.11.01<br>22.11.01 | E/C.12/4/Add.4 | E/C.12/2001/SR.61<br>E/C.12/2001/SR.62 | E/C.12/1/Add.70 | | | | |
| 136. **Switzerland** - Core document: HRI/CORE/1/Add.29/Rev.1 | | | | | | | | | |
| 18.09.92 | 1 | 20.11.98<br>23.11.98 | E/1990/5/Add.33 | E/C.12/1998/SR.37<br>E/C.12/1998/SR.38<br>E/C.12/1998/SR.39 | E/C.12/1/Add.30 | 2<br>3 | 30.06.99<br>30.06.04 | | |
| 137. **Syrian Arab Republic** - Core document not submitted | | | | | | | | | |
| 03.01.76 | 1 | 19.04.83 | E/1978/8/Add.25<br>E/1978/8/Add.31 | E/1983/WG.1/SR.2 | E/1983/WG.1/SR.2 | 4 | 30.06.06 | | |
| | 1 | 15.04.81 | E/1980/6/Add.9 | E/1981/WG.1/SR.4 | E/1981/WG.1/SR.4 | | | | |
| | 1 | 25.11.91 | E/1990/6/Add.1 | E/C.12/1994/SR.7<br>E/C.12/1994/SR.9<br>E/C.12/1994/SR.11 | E/C.12/1991/4, paras. 158-194 | | | | |
| | 2 | 15.08.01 | E/1994/104/Add.23 | E/C.12/2001/SR.35<br>E/C.12/2001/SR.36 | E/C.12/1/Add.63 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 137. **Syrian Arab Republic** - (*cont'd*) | | | | | | | | | |
| | 3 | 15.10.01 | E/1994/104/Add.23 | E/C.12/2001/SR.35 | E/C.12/1/Add.63 | | | | |
| | | 16.08.01 | | E/C.12/2001/SR.35 | | | | | |
| | | 28.08.01 | | | | | | | |
| 138. **Tajikistan** - Core document: HRI/CORE/1/Add.128 | | | | | | | | | |
| 04.04.99 | 1 | 10.11.06 | E/C.12/TJK/1 | E/C.12/2006/SR.39 | E/C.12/TJK/CO/1 | 2, 3 | 30.06.11 | | |
| | | 13.11.06 | | E/C.12/2006/SR.40 | | | | | |
| | | | | E/C.12/2006/SR.41 | | | | | |
| 139. **Thailand** - Core document: HRI/CORE/1/Add.78 | | | | | | | | | |
| 05.12.99 | | | | | | 1 | 30.06.02 | | |
| | | | | | | 2 | 30.06.07 | | |
| 140. **The former Yugoslav Republic of Macedonia** - Core document: HRI/CORE/MKD/2006 | | | | | | | | | |
| 18.01.94 | 1 | 13.11.06 | E/1990/5/Add.69 | E/C.12/2006/SR.42 | E/C.12/MKD/CO/1 | 2, 3, 4 | 30.06.08 | | |
| | | 14.11.06 | | E/C.12/2006/SR.43 | | | | | |
| | | | | E/C.12/2006/SR.44 | | | | | |
| 141. **Timor-Leste** - Core document: HRI/CORE/TLS/2007 | | | | | | | | | |
| 16.07.03 | | | | | | 1 | 30.06.05 | | |
| 142. **Togo** - Core document: HRI/CORE/1/Add.38/Rev.1 | | | | | | | | | |
| 24.08.84 | | | | | | 1 | 30.06.90 | | |
| | | | | | | 2 | 30.06.95 | | |
| | | | | | | 3 | 30.06.00 | | |
| | | | | | | 4 | 30.06.05 | | |
| 143. **Trinidad and Tobago** - Core document: HRI/CORE/1/Add.110 | | | | | | | | | |
| 08.03.79 | 1 | | E/1984/6/Add.21 | E/C.12/1989/SR.17 | E/C.12/1989/5, paras. 267-309 | 3 | 30.06.07 | | |
| | | | E/1986/3/Add.11 | E/C.12/1989/SR.18 | | | | | |
| | | | E/1988/5/Add.1 | E/C.12/1989/SR.19 | | | | | |
| | 2 | 08.05.02 | E/1990/6/Add.30 | E/C.12/2002/SR.15 | E/C.12/1/Add.80 | | | | |
| | | | | E/C.12/2002/SR.16 | | | | | |
| 144. **Tunisia** - Core document: HRI/CORE/1/Add.46 | | | | | | | | | |
| 03.01.76 | 1 | 15.04.80 | E/1978/8/Add.3 | E/1980/WG.1/SR.5 | E/1980/WG.1/SR.5 | 3 | 30.06.00 | | |
| | | | | E/1980/WG.1/SR.6 | E/1980/WG.1/SR.6 | 4 | 30.06.05 | | |
| | 1 | 06.02.89 | E/1986/3/Add.9 | E/C.12/1989/SR.9 | E/C.12/1989/5, paras. 113-130 | | | | |
| | 2 | 06.05.99 | E/1990/6/Add.14 | E/C.12/1/SR.17 | E/C.12/1/Add.36 | | | | |
| | | 07.05.99 | | E/C.12/1/SR.18 | | | | | |
| | | | | E/C.12/1/SR.19 | | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| **145. Turkey** - Core document: HRI/CORE/TUR/2007 | | | | | | | | | |
| 23.12.03 | | | | | | 1 | 30.06.05 | | |
| **146. Turkmenistan** - Core document not submitted | | | | | | | | | |
| 01.08.97 | | | | | | 1<br>2 | 30.06.99<br>30.06.04 | | |
| **147. Uganda** - Core document: HRI/CORE/1/Add.69 | | | | | | | | | |
| 21.04.87 | | | | | | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| **148. Ukraine** - Core document: HRI/CORE/1/Add.63/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 24.04.80 | E/1978/8/Add.22 | E/1980/WG.1/SR.18 | E/1980/WG.1/SR.18 | 5 | 30.06.06 | 12.06.06 | E/C.12/UKR/5 |
| | 1 | 07.04.82 | E/1980/6/Add.24 | E/1982/WG.1/SR.5<br>E/1982/WG.1/SR.6 | E/1982/WG.1/SR.5<br>E/1982/WG.1/SR.6 | 6 | 30.06.11 | | |
| | 1 | 14.04.82 | E/1982/3/Add.4 | E/1982/WG.1/SR.11<br>E/1982/WG.1/SR.12 | E/1982/WG.1/SR.11<br>E/1982/WG.1/SR.12 | | | | |
| | 2 | 25.04.84 | E/1984/7/Add.9 | E/1984/WG.1/SR.13<br>E/1984/WG.1/SR.14<br>E/1984/WG.1/SR.15 | E/1984/WG.1/SR.13<br>E/1984/WG.1/SR.14<br>E/1984/WG.1/SR.15 | | | | |
| | 2 | 09.03.87 | E/1986/4/Add.5 | E/C.12/1987/SR.9<br>E/C.12/1987/SR.10<br>E/C.12/1987/SR.11 | E/C.12/1987/5, paras. 86-114 | | | | |
| | 3 | 28.11.95<br>29.11.95 | E/1994/104/Add.4 | E/C.12/1995/SR.42<br>E/C.12/1995/SR.44<br>E/C.12/1995/SR.45 | E/C.12/1995/15 | | | | |
| | 4 | 20.08.01<br>29.08.01 | E/C.12/4/Add.2 | E/C.12/2001/SR.40<br>E/C.12/2001/SR.41 | E/C.12/1/Add.65 | | | | |
| **149. United Kingdom of Great Britain and Northern Ireland** - Core document: HRI/CORE/1/Add.5/Rev.2 | | | | | | | | | |
| 20.08.76 | 1 | 24.04.80 | E/1978/8/Add.9 | E/1980/WG.1/SR.19 | E/1980/WG.1/SR.19 | 5 | 30.06.07 | 7.08.07 | E/C.12/GBR/5 |
| | 1 | 27.04.81 | E/1980/6/Add.16<br>E/1980/6/Add.16/ Corr.1<br>E/1980/6/Add.25<br>E/1980/6/Add.25/ Corr.1<br>E/1980/6/Add.26 | E/1981/WG.1/SR.16<br>E/1981/WG.1/SR.17 | E/1981/WG.1/SR.16<br>E/1981/WG.1/SR.17 | 6 | 30.06.12 | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 149. **United Kingdom of Great Britain and Northern Ireland** - *(cont'd)* | | | | | | | | | |
| | 1 | 05.04.82 | E/1978/8/Add.30 | E/1982/WG.1/SR.1 | E/1982/WG.1/SR.1 | | | | |
| | 1 | 20.04.82 | E/1982/3/Add.16 | E/1982/WG.1/SR.19<br>E/1982/WG.1/SR.20<br>E/1982/WG.1/SR.21 | E/1982/WG.1/SR.19<br>E/1982/WG.1/SR.20<br>E/1982/WG.1/SR.21 | | | | |
| | 2 | 01.05.85 | E/1984/7/Add.20 | E/1985/WG.1/SR.14<br>E/1985/WG.1/SR.17 | E/1985/WG.1/SR.14<br>E/1985/WG.1/SR.17 | | | | |
| | 2 | 06.02.89 | E/1986/4/Add.23 | E/C.12/1989/SR.16<br>E/C.12/1989/SR.17 | E/C.12/1989/5,<br>paras. 241-266 | | | | |
| | 3 | 24.11.97<br>25.11.97 | E/1994/104/Add.11 | E/C.12/1997/SR.36<br>E/C.12/1997/SR.37<br>E/C.12/1997/SR.38 | E/C.12/1/Add.19 | | | | |
| | 4 | 06.05.02<br>07.05.02 | E/C.12/4/Add.8<br>E/C.12/4/Add.5<br>E/C.12/4/Add.7 | E/C.12/2002/SR.11<br>E/C.12/2002/SR.12<br>E/C.12/2002/SR.13 | E/C.12/1/Add.79 | | | | |
| (Hong Kong) | 2 | 23.11.94<br>25.11.94 | E/1986/4/Add.27<br>E/1986/4/Add.28<br>E/1990/7/Add.16 | E/C.12/1994/SR.33<br>E/C.12/1994/SR.34<br>E/C.12/1994/SR.36<br>E/C.12/1994/SR.37 | E/C.12/1994/19 | | | | |
| | 3 | 26.11.96<br>27.11.96<br>28.11.96 | E/1994/104/Add.10 | E/C.12/1996/SR.39<br>E/C.12/1996/SR.41<br>E/C.12/1996/SR.42<br>E/C.12/1996/SR.44 | | | | | |
| 150. **United Republic of Tanzania** - Core document not submitted | | | | | | | | | |
| 11.09.76 | 1 | 16.04.81 | E/1980/6/Add.2 | E/1980/WG.1/SR.5 | E/1980/WG.1/SR.5 | 1<br>2<br>3<br>4 | 30.06.90<br>30.06.95<br>30.06.00<br>30.06.05 | | |
| 151. **Uruguay** - Core document: HRI/CORE/1/Add.9/Rev.1 | | | | | | | | | |
| 03.01.76 | 1 | 03.05.94 | E/1990/5/Add.7 | E/C.12/1994/SR.3<br>E/C.12/1994/SR.4<br>E/C.12/1994/SR.6<br>E/C.12/1994/SR.13 | E/C.12/1994/3 | 3<br>4 | 30.06.00<br>30.06.05 | | |
| | 2 | 27.11.97<br>28.11.97 | E/1990/6/Add.10 | E/C.12/1997/SR.42<br>E/C.12/1997/SR.43<br>E/C.12/1997/SR.44 | E/C.12/1/Add.18 | | | | |

| State party/ entry into force | Reports examined | | | | | Report(s) to be examined | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Reporting round | Date(s) of examination | Report symbol | Summary record(s) | Concluding observations | Reporting round | Date due | Date received | Report symbol |
| 152. **Uzbekistan** - Core document: HRI/CORE/1/Add.129 | | | | | | | | | |
| 28.12.95 | 1 | 11.11.05<br>14.11.05 | E/1990/5/Add.63 | E/C.12/2005/SR.38<br>E/C.12/2005/SR.39<br>E/C.12/2005/SR.40 | E/C.12/UZB/CO/1 | 2 | 30.06.10 | | |
| 153. **Venezuela** - Core document: HRI/CORE/1/Add.3/Rev.1 | | | | | | | | | |
| 10.08.78 | 1 | 19.04.84 | E/1984/6/Add.1<br>E/1984/6/Add.1/Corr.1 | E/1984/WG.1/SR.7<br>E/1984/WG.1/SR.8<br>E/1984/WG.1/SR.10 | E/1984/WG.1/SR.7<br>E/1984/WG.1/SR.8<br>E/1984/WG.1/SR.10 | 3 | 30.06.06 | | |
| | 1 | 15.04.86 | E/1980/6/Add.38 | E/1986/WG.1/SR.2<br>E/1986/WG.1/SR.5 | E/1986/WG.1/SR.2<br>E/1986/WG.1/SR.5 | | | | |
| | 1 | 22.04.86 | E/1982/3/Add.33 | E/1986/WG.1/SR.12<br>E/1986/WG.1/SR.17<br>E/1986/WG.1/SR.18 | E/1986/WG.1/SR.12<br>E/1986/WG.1/SR.17<br>E/1986/WG.1/SR.18 | | | | |
| | 2 | 24.04.01<br>25.04.01 | E/1990/6/Add.19 | E/C.12/2001/SR.3<br>E/C.12/2001/SR.4<br>E/C.12/2001/SR.5 | E/C.12/1/Add.56 | | | | |
| 154. **Viet Nam** - Core document not submitted | | | | | | | | | |
| 24.12.82 | 1 | 19.05.93<br>21.05.93 | E/1990/5/Add.10 | E/C.12/1993/SR.9<br>E/C.12/1993/SR.10<br>E/C.12/1993/SR.11 | E/C.12/1993/8 | 2<br>3<br>4 | 30.06.95<br>30.06.00<br>30.06.05 | | |
| 155. **Yemen** - Core document: HRI/CORE/1/Add.115 | | | | | | | | | |
| 09.05.87 | 1 | 12.11.03<br>13.11.03 | E/1990/5/Add.54 | E/C.12/2003/SR.33<br>E/C.12/2003/SR.34<br>E/C.12/2003/SR.35 | E/C.12/1/Add. 92 | 2 | 30.06.08 | | |
| 156. **Zambia** - Core document: HRI/CORE/1/Add.22/Rev.1 | | | | | | | | | |
| 10.07.84 | 1 | 16.04.86 | E/1986/3/Add.2 | E/1986/WG.1/SR.4<br>E/1986/WG.1/SR.5<br>E/1986/WG.1/SR.7 | E/1986/WG.1/SR.4<br>E/1986/WG.1/SR.5<br>E/1986/WG.1/SR.7 | 2 | 30.06.10 | | |
| | 1 | 26.04.05 | E/1990/5/Add.60 | E/C.12/2005/SR.3<br>E/C.12/2005/SR.4<br>E/C.12/2005/SR.5 | E/C.12/1/Add.106 | | | | |
| 157. **Zimbabwe** - Core document: HRI/CORE/1/Add.55 | | | | | | | | | |
| 13.08.91 | 1 | 02.05.97<br>05.05.97<br>07.05.97 | E/1990/5/Add.28 | E/C.12/1997/SR.8<br>E/C.12/1997/SR.9<br>E/C.12/1997/SR.10<br>E/C.12/1997/SR.14<br>E/C.12/1997/SR.25 | E/C.12/1/Add.12 | 2<br>3 | 30.06.98<br>30.06.03 | | |

## ANNEX II

# Members of the Committee on Economic, Social and Cultural Rights

| *Name of member* | *Country of Nationality* | *Term expires on 31 December* |
|---|---|---|
| Mr. Mohamed Ezzeldin ABDEL-MONEIM | Egypt | 2008 |
| Mr. Clément ATANGANA | Cameroon | 2010 |
| Ms. Rocío BARAHONA RIERA | Costa Rica | 2008 |
| Ms. Virginia BONOAN-DANDAN | Philippines | 2010 |
| Ms. Maria Virginia BRAS GOMES | Portugal | 2010 |
| Mr. Chandrashekar DASGUPTA | India | 2010 |
| Mr. Azzouz KERDOUN | Algeria | 2010 |
| Mr. Yuri KOLOSOV | Russian Federation | 2010 |
| Mr. Jaime MARCHAN ROMERO | Ecuador | 2010 |
| Mr. Sergei MARTYNOV | Belarus | 2008 |
| Mr. Ariranga Govindasamy PILLAY | Mauritius | 2008 |
| Mr. Eibe RIEDEL | Germany | 2010 |
| Mr. Andrzej RZEPLINSKI | Poland | 2008 |
| Mr. Waleed M. SADI | Jordan | 2008 |
| Mr. Philippe TEXIER | France | 2008 |
| Mr. Alvaro TIRADO MEJIA | Colombia | 2010 |
| Ms. Barbara WILSON | Switzerland | 2008 |
| Mr. Daode ZHAN | China | 2008 |

# ANNEX III

## Agendas of the thirty-eighth and thirty-ninth sessions of the Committee on Economic, Social and Cultural Rights

### A. Agenda of the thirty-eighth session of the Committee (30 April-16 May 2007)

1. Election of Chairperson and other officers of the Committee.

2. Adoption of the agenda.

3. Organization of work.

4. Substantive issues arising on the implementation of the International Covenant on Economic, Social and Cultural Rights.

5. Follow-up to the consideration of reports under articles 16 and 17 of the Covenant.

6. Relations with United Nations organs and other treaty bodies.

7. Meeting with States parties.

8. Consideration of reports:

   (*a*) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant;

   (*b*) Reports submitted by specialized agencies in accordance with article 18 of the Covenant.

9. Submission of reports by States parties in accordance with articles 16 and 17 of the Covenant.

10. Formulation of suggestions and recommendations of a general nature based on the consideration of reports submitted by States parties to the Covenant and by the specialized agencies.

11. Miscellaneous matters.

## B. Agenda of the thirty-ninth session of the Committee (5-23 November 2007)

1. **Adoption of the agenda.**

2. **Organization of work.**

3. **Substantive issues arising on the implementation of the International Covenant on Economic, Social and Cultural Rights.**

4. **Follow-up to the consideration of reports under articles 16 and 17 of the Covenant.**

5. **Relations with United Nations organs and other treaty bodies.**

6. **Consideration of reports:**

    **(*a*) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant;**

    **(*b*) Reports submitted by specialized agencies in accordance with article 18 of the Covenant.**

7. **Submission of reports by States parties in accordance with articles 16 and 17 of the Covenant:**

    **(*a*) Status of the submission of reports by States parties to the Covenant;**

    **(*b*) Revision of the guidelines of the Committee for the preparation of reports by States parties.**

8. **Formulation of suggestions and recommendations of a general nature based on the consideration of reports submitted by States parties to the Covenant and by the specialized agencies.**

9. **Adoption of the annual report.**

10. **Miscellaneous matters.**

## ANNEX IV

# List of general comments adopted by the Committee on Economic, Social and Cultural Rights

**The general comments adopted to date by the Committee appear in the following relevant annual reports of the Committee:***

**No. 1 (1989): on reporting by States parties (third session; E/1989/22-E/C.12/1989/5, annex III);**

**No. 2 (1990): on international technical assistance measures (article 22 of the Covenant) (fourth session; E/1990/23-E/C.12/1990/3 and Corr.1, annex III);**

**No. 3 (1990): on the nature of States parties' obligations (article 2, paragraph 1, of the Covenant) (fifth session; E/1991/23-E/C.12/1990/8 and Corr.1, annex III);**

**No. 4 (1991): on the right to adequate housing (article 11, paragraph 1, of the Covenant) (sixth session; E/1992/23-E/C.12/1991/4, annex III);**

**No. 5 (1994): on persons with disabilities (eleventh session; E/1995/22-E/C.12/1994/20 and Corr.1, annex IV);**

**No. 6 (1995): on the economic, social and cultural rights of older persons (thirteenth session; E/1996/22-E/C.12/1995/18, annex IV);**

**No. 7 (1997): on the right to adequate housing (article 11, paragraph 1, of the Covenant): forced evictions (sixteenth session; E/1998/22-E/C.12/1997/10, annex IV);**

**No. 8 (1997): on the relationship between economic sanctions and respect for economic, social and cultural rights (seventeenth session; E/1998/22-E/C.12/1997/10, annex V);**

**No. 9 (1998): on domestic application of the Covenant (eighteenth session; E/1999/22-E/C.12/1998/26, annex IV);**

**No. 10 (1998): on the role of national human rights institutions in the protection of economic, social and cultural rights (nineteenth session; E/1999/22-E/C.12/1998/26, annex V);**

**No. 11 (1999): on plans of action for primary education (article 14 of the Covenant) (twentieth session; E/2000/22-E/C.12/1999/11 and Corr.1, annex IV);**

**No. 12 (1999): on the right to adequate food (article 11 of the Covenant) (twentieth session; E/2000/22-E/C.12/1999/11 and Corr.1, annex V);**

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*** Published as *Official Records of the Economic and Social Council.***

No. 13 (1999): on the right to education (article 13 of the Covenant) (twenty-first session; E/2000/22-E/C.12/1999/11 and Corr.1, annex VI);

No. 14 (2000): on the right to the highest attainable standard of health (article 12 of the Covenant) (twenty-second session; E/2001/22-E/C.12/2000/22, annex IV);

No. 15 (2002): on the right to water (articles 11 and 12 of the Covenant) (twenty-ninth session; E/2003/22-E/C.12/2002/13, annex IV);

No. 16 (2005): on the equal right of men and women to the enjoyment of all economic, social and cultural rights (article 3 of the Covenant) (thirty-fourth session; E/2006/22-E/C.12/2005/5, annex VIII);

No. 17 (2005): on the right of everyone to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author (article 15 (1) (c) of the Covenant) (thirty-fifth session; E/2006/22-E/C.12/2005/5, annex IX);

No. 18 (2005): on the right to work (article 6 of the Covenant) (thirty-fifth session; E/2006/22-E/C.12/2005/5, annex X);

No. 19 (2007): on the right to social security (article 9 of the Covenant) (thirty-ninth session; E/2008/22-E/C.12/2007, annex VII).

## ANNEX V

# List of statements adopted by the Committee on Economic, Social and Cultural Rights

The statements and recommendations, adopted by the Committee to date, appear in its relevant annual reports:*

1. Preparatory activities relating to the World Conference on Human Rights: recommendations to the Preparatory Committee for the World Conference (sixth session; E/1992/23-E/C.12/1991/4, chap. IX);

2. Statement to the World Conference on Human Rights on behalf of the Committee (seventh session; E/1993/22-E/C.12/1992/2, annex III);

3. The World Summit for Social Development and the International Covenant on Economic, Social and Cultural Rights: Statement of the Committee (tenth session; E/1995/22-E/C.12/1994/20 and Corr.1, annex V);

4. Economic, social and cultural rights in the context of the World Summit for Social Development: Statement of the Committee (eleventh session; E/1995/22-E/C.12/1994/20 and Corr.1, annex VI);

5. Fourth World Conference on Women: Action for Equality, Development and Peace - Statement by the Committee (twelfth session; E/1996/22-E/C.12/1995/18, annex VI);

6. United Nations Conference on Human Settlements (Habitat II): Statement of the Committee (thirteenth session; E/1996/22-E/C.12/1995/18, annex VIII);

7. Globalization and its impact on the enjoyment of economic, social and cultural rights (eighteenth session; E/1999/22-E/C.12/1998/26; chap. VI, sect. A, para. 515);

8. Statement of the Committee to the Third Ministerial Conference of the World Trade Organization (twenty-first session; E/2000/22-E/C.12/1999/11 and Corr.1, annex VII);

9. Statement of the Committee to the Convention to draft a Charter of Fundamental Rights of the European Union (twenty-second session; E/2001/22-E/C.12/2000/21, annex VIII);

10. Poverty and the International Covenant on Economic, Social and Cultural Rights: Statement of the Committee to the Third United Nations Conference on the Least Developed Countries (twenty-fifth session; E/2002/22-E/C.12/2001/17, annex VII);

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* Published as *Official Records of the Economic and Social Council.*

11. Statement of the Committee to the special session of the General Assembly for an overall review and appraisal of the implementation of the decisions taken at the United Nations Conference on Human Settlements (Habitat II) (New York, 6-8 June 2001) (twenty-fifth session; E/2002/22-E/C.12/2001/17, annex XI);

12. Statement of the Committee to the International Consultative Conference on School Education in Relation to Freedom of Religion and Belief, Tolerance and Non-Discrimination (twenty-seventh session; E/2002/22-E/C.12/2001/17, annex XII);

13. Statement of the Committee on human rights and intellectual property (twenty-seventh session; E/2002/22-E/C.12/2001/17, annex XIII);

14. Statement of the Committee to the Commission on Sustainable Development acting as the Preparatory Committee for the World Summit for Sustainable Development (Bali, Indonesia, 27 May-7 June 2002) (twenty-eighth session; E/2003/22-E/C.12/2002/13, annex VI);

15. The Millennium Development Goals and economic, social and cultural rights: joint statement by the Committee and the Special Rapporteurs on economic, social and cultural rights of the Commission on Human Rights (twenty-ninth session; E/2003/22-E/C.12/2002/13, annex VII);

16. Statement by the Committee on an evaluation of the obligation to take steps to the "maximum of available resources" under an optional protocol to the Covenant (thirty-eighth session; E/2008/22-E/C.12/2007/1, annex VIII).

## ANNEX VI

# Days of general discussion held by the Committee on Economic, Social and Cultural Rights

The following issues have been the focus of discussion:

1. The right to food (third session, 1989);

2. The right to housing (fourth session, 1990);

3. Economic and social indicators (sixth session, 1991);

4. The right to take part in cultural life (seventh session, 1992);

5. The rights of the ageing and elderly (eighth session, 1993);

6. The right to health (ninth session, 1993);

7. The role of social safety nets (tenth session, 1994);

8. Human rights education and public information activities (eleventh session, 1994);

9. The interpretation and practical application of the obligations incumbent on States parties (twelfth session, 1995);

10. A draft optional protocol to the Covenant (thirteenth session, 1995, and fourteenth and fifteenth sessions, 1996);

11. Revision of the general guidelines for reporting (sixteenth session, 1997);

12. The normative content of the right to food (seventeenth session, 1997);

13. Globalization and its impact on the enjoyment of economic, social and cultural rights (eighteenth session, 1998);

14. The right to education (nineteenth session, 1998);

15. The right of everyone to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author (twenty-fourth session, 2000);

**16. International consultation on economic, social and cultural rights in development activities of international institutions, organized in cooperation with the High Council for International Cooperation (France) (twenty-fifth session, 2001);**

**17. Equal right of men and women to the enjoyment of economic, social and cultural rights (article 3 of the Covenant) (twenty-eighth session, 2002);**

**18. The right to work (article 6 of the Covenant) (thirty-first session, 2003);**

**19. The right to social security (article 9 of the Covenant) (thirty-sixth session. 2006).**

# ANNEX VII

# General comment No. 19[a]

## The right to social security (art. 9)

## I. INTRODUCTION

1. Article 9 of the International Covenant on Economic, Social and Cultural Rights (the Covenant) provides that, "The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance." The right to social security is of central importance in guaranteeing human dignity for all persons when they are faced with circumstances that deprive them of their capacity to fully realize their Covenant rights.

2. The right to social security encompasses the right to access and maintain benefits, whether in cash or in kind, without discrimination in order to secure protection, inter alia, from (a) lack of work-related income caused by sickness, disability, maternity, employment injury, unemployment, old age, or death of a family member; (b) unaffordable access to health care; (c) insufficient family support, particularly for children and adult dependents.

3. Social security, through its redistributive character, plays an important role in poverty reduction and alleviation, preventing social exclusion and promoting social inclusion.

4. In accordance with article 2 (1), States parties to the Covenant must take effective measures, and periodically revise them when necessary, within their maximum available resources, to fully realize the right of all persons without any discrimination to social security, including social insurance. The wording of article 9 of the Covenant indicates that the measures that are to be used to provide social security benefits cannot be defined narrowly and, in any event, must guarantee all peoples a minimum enjoyment of this human right. These measures can include:

(*a*) Contributory or insurance-based schemes such as social insurance, which is expressly mentioned in article 9. These generally involve compulsory contributions from beneficiaries, employers and, sometimes, the State, in conjunction with the payment of benefits and administrative expenses from a common fund;

(*b*) Non-contributory schemes such as universal schemes (which provide the relevant benefit in principle to everyone who experiences a particular risk or contingency) or targeted social assistance schemes (where benefits are received by those in a situation of need). In almost all States parties, non-contributory schemes will be required since it is unlikely that every person can be adequately covered through an insurance-based system.

5. Other forms of social security are also acceptable, including (a) privately run schemes, and (b) self-help or other measures, such as community-based or mutual schemes. Whichever

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[a] Adopted on 23 November 2007.

system is chosen, it must conform to the essential elements of the right to social security and to that extent should be viewed as contributing to the right to social security and be protected by States parties in accordance with this general comment.

6. The right to social security has been strongly affirmed in international law. The human rights dimensions of social security were clearly present in the Declaration of Philadelphia of 1944 which called for the "extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care".[b] Social security was recognized as a human right in the Universal Declaration of Human Rights of 1948, which states in article 22 that "Everyone, as a member of society, has the right to social security" and in article 25 (1) that everyone has the "right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control." The right was subsequently incorporated in a range of international human rights treaties[c] and regional human rights treaties.[d] In 2001, the International Labour Conference, composed of representatives of States, employers, and workers, affirmed that social security "is a basic human right and a fundamental means for creating social cohesion".[e]

7. The Committee on Economic, Social and Cultural Rights (the Committee) is concerned over the very low levels of access to social security with a large majority (about 80 per cent) of the global population currently lacking access to formal social security. Among these 80 per cent, 20 per cent live in extreme poverty.[f]

8. During its monitoring of the implementation of the Covenant, the Committee has consistently expressed its concern over the denial of or lack of access to adequate social security, which has undermined the realization of many Covenant rights. The Committee has also consistently addressed the right to social security, not only during its consideration of the reports of States parties but also in its general comments and various statements.[g] With a view to

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[b] Declaration concerning the aims and purposes of the International Labour Organization (ILO), annex to the Constitution of the ILO, section III (f).

[c] International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), article 5 (e) (iv); Convention on the Elimination of All Forms of Discrimination against Women, articles 11, paragraph 1 (e) and 14, paragraph 2 (c); and Convention on the Rights of the Child, article 26.

[d] For explicit mention of the right to social security, see American Declaration of the Rights and Duties of Man, article XVI; Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador), article 9; European Social Charter (and 1996 revised version), articles 12, 13 and 14.

[e] International Labour Conference, eighty-ninth session, report of the Committee on Social Security, resolutions and conclusions concerning social security.

[f] Michael Cichon and Krzysztof Hagemejer, "Social Security for All: Investing in Global and Economic Development. A Consultation", *Issues in Social Protection Series, Discussion Paper 16*, ILO Social Security Department, Geneva, 2006.

[g] See general comments No. 5 (1994) on persons with disabilities; No. 6 (1995) on the economic, social and cultural rights of older persons; No. 12 (1999) on the right to adequate food (art. 11); No. 14 (2000) on the right to the highest attainable standard of health (art. 12); No. 15 (2002) on the right to water (arts. 11 and 12); No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights (art. 3); and No. 18 (2005) on the right to work (art. 6). See also Statement by the Committee: An evaluation of the obligation to take steps to the "maximum of available resources" under an optional protocol to the Covenant (E/C.12/2007/1).

assisting the implementation by States parties of the Covenant and the fulfilment of their reporting obligations, this general comment focuses on the normative content of the right to social security (chapter II), on States parties' obligations (chapter III), on violations (chapter IV) and on implementation at the national level (chapter V), while the obligations of actors other than States parties are addressed in chapter VI.

## II. NORMATIVE CONTENT OF THE RIGHT TO SOCIAL SECURITY

9. The right to social security includes the right not to be subject to arbitrary and unreasonable restrictions of existing social security coverage, whether obtained publicly or privately, as well as the right to equal enjoyment of adequate protection from social risks and contingencies.

### A. Elements of the right to social security

10. While the elements of the right to social security may vary according to different conditions, a number of essential factors apply in all circumstances as set out below. In interpreting these aspects, it should be borne in mind that social security should be treated as a social good, and not primarily as a mere instrument of economic or financial policy.

### 1. Availability - social security system

11. The right to social security requires, for its implementation, that a system, whether composed of a single scheme or variety of schemes, is available and in place to ensure that benefits are provided for the relevant social risks and contingencies. The system should be established under domestic law, and public authorities must take responsibility for the effective administration or supervision of the system. The schemes should also be sustainable, including those concerning provision of pensions, in order to ensure that the right can be realized for present and future generations.

### 2. Social risks and contingencies

12. The social security system should provide for the coverage of the following nine principal branches of social security.[h]

### (a) Health care

13. States parties have an obligation to guarantee that health systems are established to provide adequate access to health services for all.[i] In cases in which the health system foresees private or

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[h] See in particular ILO Convention No. 102 (1952) on Social Security (Minimum Standards), which was confirmed by the ILO Governing Body in 2002 as an instrument corresponding to contemporary needs and circumstances. These categories were also affirmed by States and trade union and employer representatives in the ILO Maritime Labour Convention (2006), regulation 4.5, standard A4.5. The Committee's revised general guidelines for State reporting of 1991 follow this approach. See also Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), articles 11, 12 and 13.

[i] General comment No. 14 (2000) on the right to the highest attainable standard of health (art. 12). Coverage must include any morbid condition, whatever its cause, and pregnancy and confinement and their consequences, general and practical medical care, together with hospitalization.

mixed plans, such plans should be affordable, in conformity with the essential elements enunciated in the present general comment.[j] The Committee notes the particular importance of the right to social security in the context of endemic diseases such as HIV/AIDS, tuberculosis and malaria, and the need to provide access to preventive and curative measures.

### (b) Sickness

14. Cash benefits should be provided to those incapable of working due to ill health to cover periods of loss of earnings. Persons suffering from long periods of sickness should qualify for disability benefits.

### (c) Old age

15. States parties should take appropriate measures to establish social security schemes that provide benefits to older persons, starting at a specific age, to be prescribed by national law.[k] The Committee stresses that States parties should establish a retirement age that is appropriate to national circumstances which take account of, inter alia, the nature of the occupation, in particular work in hazardous occupations and the working ability of older persons. States parties should, within the limits of available resources, provide non-contributory old-age benefits, social services and other assistance for all older persons who, when reaching the retirement age prescribed in national legislation, have not completed a qualifying period of contributions or are not otherwise entitled to an old-age insurance-based pension or other social security benefit or assistance, and have no other source of income.

### (d) Unemployment

16. In addition to promoting full, productive and freely chosen employment, States parties must endeavour to provide benefits to cover the loss or lack of earnings due to the inability to obtain or maintain suitable employment. In the case of loss of employment, benefits should be paid for an adequate period of time and at the expiry of the period, the social security system should ensure adequate protection of the unemployed worker, for example through social assistance. The social security system should also cover other workers, including part-time workers, casual workers, seasonal workers, and the self-employed, and those working in atypical forms of work in the informal economy.[l] Benefits should be provided to cover periods of loss of earnings by persons who are requested not to report for work during a public health or other emergency.

### (e) Employment injury

17. States parties should also ensure the protection of workers who are injured in the course of employment or other productive work. The social security system should cover the costs and loss of earnings from the injury or morbid condition and the loss of support for spouses or dependents suffered as the result of the death of a breadwinner.[m] Adequate benefits should be provided in

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[j] See above, paragraph 4 and see below paragraphs 23-27.

[k] See general comment No. 6 (1995) on the economic, social and cultural rights of older persons.

[l] As defined in paragraphs 29-39 below.

[m] See ILO Convention No. 121 (1964) on Employment Injury Benefits.

the form of access to health care and cash benefits to ensure income security. Entitlement to benefits should not be made subject to the length of employment, to the duration of insurance or to the payment of contributions.

### (f) Family and child support

18. Benefits for families are crucial for realizing the rights of children and adult dependents to protection under articles 9 and 10 of the Covenant. In providing the benefits, the State party should take into account the resources and circumstances of the child and persons having responsibility for the maintenance of the child or adult dependent, as well as any other consideration relevant to an application for benefits made by or on behalf of the child or adult dependent.[n] Family and child benefits, including cash benefits and social services, should be provided to families, without discrimination on prohibited grounds, and would ordinarily cover food, clothing, housing, water and sanitation, or other rights as appropriate.

### (g) Maternity

19. Article 10 of the Covenant expressly provides that "working mothers should be accorded paid leave or leave with adequate social security benefits".[o] Paid maternity leave should be granted to all women, including those involved in atypical work, and benefits should be provided for an adequate period.[p] Appropriate medical benefits should be provided for women and children, including perinatal, childbirth and post-natal care and care in hospital where necessary.

### (h) Disability

20. In its general comment No. 5 (1994) on persons with disabilities, the Committee emphasized the importance of providing adequate income support to persons with disabilities who, owing to disability or disability-related factors, have temporarily lost, or received a reduction in, their income, have been denied employment opportunities or have a permanent disability. Such support should be provided in a dignified manner[q] and reflect the special needs for assistance and other expenses often associated with disability. The support provided should cover family members and other informal carers.

### (i) Survivors and orphans

21. States parties must also ensure the provision of benefits to survivors and orphans on the death of a breadwinner who was covered by social security or had rights to a pension.[r] Benefits

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[n] See Convention on the Rights of the Child, article 26.

[o] The Committee notes that ILO Convention No. 183 (2000) on Maternity Protection provides that maternity leave should be for a period of not less than 14 weeks, including a period of 6 weeks' compulsory leave after childbirth.

[p] See CEDAW, article 11, paragraph 2 (b).

[q] Institutionalization of persons with disabilities, unless rendered necessary for other reasons, cannot be regarded as an adequate substitute for the social security and income-support rights of such persons, as well as rehabilitation and employment support, in order to assist persons with disabilities to secure work as required by articles 6 and 7 of the Covenant.

[r] The Committee also notes that children have a right to social security. See article 26 of the Convention on the Rights of the Child.

should cover funeral costs, particularly in those States parties where funeral expenses are prohibitive. Survivors or orphans must not be excluded from social security schemes on the basis of prohibited grounds of discrimination and they should be given assistance in accessing social security schemes, particularly when endemic diseases, such as HIV/AIDS, tuberculosis and malaria, leave large numbers of children or older persons without family and community support.

### 3. Adequacy

22. Benefits, whether in cash or in kind, must be adequate in amount and duration in order that everyone may realize his or her rights to family protection and assistance, an adequate standard of living and adequate access to health care, as contained in articles 10, 11 and 12 of the Covenant. States parties must also pay full respect to the principle of human dignity contained in the preamble of the Covenant, and the principle of non-discrimination, so as to avoid any adverse effect on the levels of benefits and the form in which they are provided. Methods applied should ensure the adequacy of benefits. The adequacy criteria should be monitored regularly to ensure that beneficiaries are able to afford the goods and services they require to realize their Covenant rights. When a person makes contributions to a social security scheme that provides benefits to cover lack of income, there should be a reasonable relationship between earnings, paid contributions, and the amount of relevant benefit.

### 4. Accessibility

#### (a) Coverage

23. All persons should be covered by the social security system, especially individuals belonging to the most disadvantaged and marginalized groups, without discrimination on any of the grounds prohibited under article 2, paragraph 2, of the Covenant. In order to ensure universal coverage, non-contributory schemes will be necessary.

#### (b) Eligibility

24. Qualifying conditions for benefits must be reasonable, proportionate and transparent. The withdrawal, reduction or suspension of benefits should be circumscribed, based on grounds that are reasonable, subject to due process, and provided for in national law.[s]

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[s] The Committee notes that under ILO Convention No. 168 (1988) on Employment Promotion and Protection against Unemployment, such action can only be taken in certain circumstances: absence from the territory of the State; a competent authority has determined that the person concerned deliberately contributed to their own dismissal or left employment voluntarily without just cause; during the period a person stops work due to a labour dispute; the person has attempted to obtain or has obtained benefits fraudulently; the person has failed without just cause to use the facilities available for placement, vocational guidance, training, retraining or redeployment in suitable work; or the person is in receipt of another income maintenance benefit provided for in the legislation of the relevant State, except a family benefit, provided that the part of the benefit which is suspended does not exceed that other benefit.

### (c) Affordability

25. If a social security scheme requires contributions, those contributions should be stipulated in advance. The direct and indirect costs and charges associated with making contributions must be affordable for all, and must not compromise the realization of other Covenant rights.

### (d) Participation and information

26. Beneficiaries of social security schemes must be able to participate in the administration of the social security system.[t] The system should be established under national law and ensure the right of individuals and organizations to seek, receive and impart information on all social security entitlements in a clear and transparent manner.

### (e) Physical access

27. Benefits should be provided in a timely manner and beneficiaries should have physical access to the social security services in order to access benefits and information, and make contributions where relevant. Particular attention should be paid in this regard to persons with disabilities, migrants, and persons living in remote or disaster-prone areas, as well as areas experiencing armed conflict, so that they, too, can have access to these services.

## 5. Relationship with other rights

28. The right to social security plays an important role in supporting the realization of many of the rights in the Covenant, but other measures are necessary to complement the right to social security. For example, States parties should provide social services for rehabilitation of the injured and persons with disabilities in accordance with article 6 of the Covenant, provide childcare and welfare, advice and assistance with family planning and the provision of special facilities for persons with disabilities and older persons (art. 10); take measures to combat poverty and social exclusion and provide supporting social services (art. 11); and adopt measures to prevent disease and improve health facilities, goods and services (art. 12).[u] States parties should also consider schemes that provide social protection to individuals belonging to disadvantaged and marginalized groups, for example crop or natural disaster insurance for small farmers[v] or livelihood protection for self-employed persons in the informal economy. However, the adoption of measures to realize other rights in the Covenant will not in itself act as a substitute for the creation of social security schemes.

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[t] Articles 71 and 72 of ILO Convention 102 (1952) on Social Security (Minimum Standards) set out similar requirements.

[u] See Social Security Principles, *Social Security Series No. 1,* ILO (1998), p. 14 and general comments No. 5 (1994) on persons with disabilities; No. 6 (1995) on the economic, social and cultural rights of older persons; No. 12 (1999) on the right to adequate food (art. 11); No. 13 (1999) on the right to education (art. 13); No. 14 (2000) on the right to the highest attainable standard of health (art. 12); No. 15 (2002) on the right to water (arts. 11 and 12); and No. 18 (2005) on the right to work (art. 6).

[v] Social Security Principles, *Social Security Series No. 1,* ILO, p. 29.

## B. Special topics of broad application

### 1. Non-discrimination and equality

29. The obligation of States parties to guarantee that the right to social security is enjoyed without discrimination (article 2, paragraph 2, of the Covenant), and equally between men and women (art. 3), pervades all of the obligations under Part III of the Covenant. The Covenant thus prohibits any discrimination, whether in law or in fact, whether direct or indirect, on the grounds of race, colour, sex,[w] age,[x] language, religion, political or other opinion, national or social origin, property, birth, physical or mental disability,[y] health status (including HIV/AIDS), sexual orientation, and civil, political, social or other status, which has the intention or effect of nullifying or impairing the equal enjoyment or exercise of the right to social security.

30. States parties should also remove de facto discrimination on prohibited grounds, where individuals are unable to access adequate social security. States parties should ensure that legislation, policies, programmes and the allocation of resources facilitate access to social security for all members of society in accordance with Part III. Restrictions on access to social security schemes should also be reviewed to ensure that they do not discriminate in law or in fact.

31. Whereas everyone has the right to social security, States parties should give special attention to those individuals and groups who traditionally face difficulties in exercising this right, in particular women, the unemployed, workers inadequately protected by social security, persons working in the informal economy, sick or injured workers, people with disabilities, older persons, children and adult dependents, domestic workers, home workers,[z] minority groups, refugees, asylum-seekers, internally displaced persons, returnees, non-nationals, prisoners and detainees.

### 2. Gender equality

32. In general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights (art. 3), the Committee noted that implementation of article 3 in relation to article 9 requires, inter alia, equalization of the compulsory retirement age for both men and women; ensuring that women receive equal benefits in both public and private pension schemes; and guaranteeing adequate maternity leave for women, paternity leave for men, and parental leave for both men and women.[aa] In social security schemes that link benefits

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[w] See general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights (art. 3).

[x] See general comment No. 6. The Committee notes that some distinctions can be made on the basis of age, for example entitlement to a pension. The key underlying principle is that any distinction on prohibited grounds must be reasonable and justified in the circumstances.

[y] See general comment No. 5.

[z] Home workers are those who work from home for remuneration for an employer or similar business enterprise or activity. See ILO Convention No. 177 (1996) on Home Work.

[aa] Article 10 of the Covenant expressly provides that "working mothers should be accorded paid leave or leave with adequate social security benefits".

with contributions, States parties should take steps to eliminate the factors that prevent women from making equal contributions to such schemes (for example, intermittent participation in the workforce on account of family responsibilities and unequal wage outcomes) or ensure that schemes take account of such factors in the design of benefit formulas (for example by considering child-rearing periods or periods to take care of adult dependents in relation to pension entitlements). Differences in the average life expectancy of men and women can also lead directly or indirectly to discrimination in provision of benefits (particularly in the case of pensions) and thus need to be taken into account in the design of schemes. Non-contributory schemes must also take account of the fact that women are more likely to live in poverty than men and often have sole responsibility for the care of children.

### 3. Workers inadequately protected by social security (part-time, casual, self-employed and homeworkers)

33. Steps must be taken by States parties to the maximum of their available resources to ensure that the social security systems cover workers inadequately protected by social security, including part-time workers, casual workers, the self-employed and homeworkers. Where social security schemes for such workers are based on occupational activity, they should be adapted so that they enjoy conditions equivalent to those of comparable full-time workers. Except in the case of employment injury, these conditions could be determined in proportion to hours of work, contributions or earnings, or through other appropriate methods. Where such occupation-based schemes do not provide adequate coverage to these workers, a State party will need to adopt complementary measures.

### 4. Informal economy

34. States parties must take steps to the maximum of their available resources to ensure that the social security systems cover those persons working in the informal economy. The informal economy has been defined by the International Labour Conference as "all economic activities by workers and economic units that are - in law or in practice - not covered or insufficiently covered by formal arrangements".[bb] This duty is particularly important where social security systems are based on a formal employment relationship, business unit or registered residence. Measures could include: (a) removing obstacles that prevent such persons from accessing informal social security schemes, such as community-based insurance; (b) ensuring a minimum level of coverage of risks and contingencies with progressive expansion over time; and (c) respecting and supporting social security schemes developed within the informal economy such as micro-insurance and other microcredit-related schemes. The Committee notes that in a number of States parties with a large informal economy, programmes such as universal pension and health-care schemes that cover all persons have been adopted.

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[bb] Conclusions concerning decent work and the informal economy, General Conference of the International Labour Organization, 90th session, paragraph 3.

#### 5. Indigenous peoples and minority groups

35. States parties should take particular care that indigenous peoples and ethnic and linguistic minorities are not excluded from social security systems through direct or indirect discrimination, particularly through the imposition of unreasonable eligibility conditions or lack of adequate access to information.

#### 6. Non-nationals (including migrant workers, refugees, asylum-seekers and stateless persons)

36. Article 2, paragraph 2, prohibits discrimination on grounds of nationality and the Committee notes that the Covenant contains no express jurisdictional limitation. Where non-nationals, including migrant workers, have contributed to a social security scheme, they should be able to benefit from that contribution or retrieve their contributions if they leave the country.[cc] A migrant worker's entitlement should also not be affected by a change in workplace.

37. Non-nationals should be able to access non-contributory schemes for income support, affordable access to health care and family support. Any restrictions, including a qualification period, must be proportionate and reasonable. All persons, irrespective of their nationality, residency or immigration status, are entitled to primary and emergency medical care.

38. Refugees, stateless persons and asylum-seekers, and other disadvantaged and marginalized individuals and groups, should enjoy equal treatment in access to non-contributory social security schemes, including reasonable access to health care and family support, consistent with international standards.[dd]

#### 7. Internally displaced persons and internal migrants

39. Internally displaced persons should not suffer from any discrimination in the enjoyment of their right to social security and States parties should take proactive measures to ensure equal access to schemes, for example by waiving, where applicable, residence requirements and making allowance for provision of benefits or other related services at the place of displacement. Internal migrants should be able to access social security from their place of residence, and residence registration systems should not restrict access to social security for individuals who move to another district where they are not registered.

## III. OBLIGATIONS OF STATES PARTIES

### A. General legal obligations

40. While the Covenant provides for progressive realization and acknowledges the constraints owing to the limits of available resources, the Covenant also imposes on States parties various obligations which are of immediate effect. States parties have immediate obligations in relation

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[cc] See the report of the Secretary-General on international migration and development (A/60/871), para. 98.

[dd] See the Convention relating to the Status of Refugees, arts. 23 and 24, and the Convention relating to the Status of Stateless Persons, articles 23 and 24.

to the right to social security, such as the guarantee that the right will be exercised without discrimination of any kind (art. 2, para. 2), ensuring the equal rights of men and women (art. 3), and the obligation to take steps (art. 2, para. 1) towards the full realization of articles 11, paragraph 1, and 12. Such steps must be deliberate, concrete and targeted towards the full realization of the right to social security.

41. The Committee acknowledges that the realization of the right to social security carries significant financial implications for States parties, but notes that the fundamental importance of social security for human dignity and the legal recognition of this right by States parties mean that the right should be given appropriate priority in law and policy. States parties should develop a national strategy for the full implementation of the right to social security, and should allocate adequate fiscal and other resources at the national level. If necessary, they should avail themselves of international cooperation and technical assistance in line with article 2, paragraph 1, of the Covenant.

42. There is a strong presumption that retrogressive measures taken in relation to the right to social security are prohibited under the Covenant. If any deliberately retrogressive measures are taken, the State party has the burden of proving that they have been introduced after the most careful consideration of all alternatives and that they are duly justified by reference to the totality of the rights provided for in the Covenant, in the context of the full use of the maximum available resources of the State party. The Committee will look carefully at whether: (a) there was reasonable justification for the action; (b) alternatives were comprehensively examined; (c) there was genuine participation of affected groups in examining the proposed measures and alternatives; (d) the measures were directly or indirectly discriminatory; (e) the measures will have a sustained impact on the realization of the right to social security, an unreasonable impact on acquired social security rights or whether an individual or group is deprived of access to the minimum essential level of social security; and (f) whether there was an independent review of the measures at the national level.

## B. Specific legal obligations

43. The right to social security, like any human right, imposes three types of obligations on States parties: the obligation to respect, the obligation to protect and the obligation to fulfil.

### 1. Obligation to respect

44. The obligation to respect requires that States parties refrain from interfering directly or indirectly with the enjoyment of the right to social security. The obligation includes, inter alia, refraining from engaging in any practice or activity that, for example, denies or limits equal access to adequate social security; arbitrarily or unreasonably interferes with self-help or customary or traditional arrangements for social security; arbitrarily or unreasonably interferes with institutions that have been established by individuals or corporate bodies to provide social security.

### 2. Obligation to protect

45. The obligation to protect requires that State parties prevent third parties from interfering in any way with the enjoyment of the right to social security. Third parties include individuals, groups, corporations and other entities, as well as agents acting under their authority. The

obligation includes, inter alia, adopting the necessary and effective legislative and other measures, for example, to restrain third parties from denying equal access to social security schemes operated by them or by others and imposing unreasonable eligibility conditions; arbitrarily or unreasonably interfering with self-help or customary or traditional arrangements for social security that are consistent with the right to social security; and failing to pay legally required contributions for employees or other beneficiaries into the social security system.

46. Where social security schemes, whether contributory or non-contributory, are operated or controlled by third parties, States parties retain the responsibility of administering the national social security system and ensuring that private actors do not compromise equal, adequate, affordable, and accessible social security. To prevent such abuses an effective regulatory system must be established which includes framework legislation, independent monitoring, genuine public participation and imposition of penalties for non-compliance.

### 3. Obligation to fulfil

47. The obligation to fulfil requires States parties to adopt the necessary measures, including the implementation of a social security scheme, directed towards the full realization of the right to social security. The obligation to fulfil can be subdivided into the obligations to facilitate, promote and provide.

48. The obligation to facilitate requires States parties to take positive measures to assist individuals and communities to enjoy the right to social security. The obligation includes, inter alia, according sufficient recognition of this right within the national political and legal systems, preferably by way of legislative implementation; adopting a national social security strategy and plan of action to realize this right;[ee] ensuring that the social security system will be adequate, accessible for everyone and will cover social risks and contingencies.[ff]

49. The obligation to promote obliges the State party to take steps to ensure that there is appropriate education and public awareness concerning access to social security schemes, particularly in rural and deprived urban areas, or amongst linguistic and other minorities.

50. States parties are also obliged to provide the right to social security when individuals or a group are unable, on grounds reasonably considered to be beyond their control, to realize that right themselves, within the existing social security system with the means at their disposal. States parties will need to establish non-contributory schemes or other social assistance measures to provide support to those individuals and groups who are unable to make sufficient contributions for their own protection. Special attention should be given to ensuring that the social security system can respond in times of emergency, for example during and after natural disasters, armed conflict and crop failure.

51. It is important that social security schemes cover disadvantaged and marginalized groups, even where there is limited capacity to finance social security, either from tax revenues and/or contributions from beneficiaries. Low-cost and alternative schemes could be developed to cover

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[ee] See paragraphs 59 (d) and 68-70 below.

[ff] See paragraphs 12-21 above.

immediately those without access to social security, although the aim should be to integrate them into regular social security schemes. Policies and a legislative framework could be adopted for the progressive inclusion of those in the informal economy or who are otherwise excluded from access to social security.

### 4. International obligations

52. Article 2, paragraph 1, and articles 11, paragraph 1, and 23 of the Covenant require that States parties recognize the essential role of international cooperation and assistance and take joint and separate action to achieve the full realization of the rights inscribed in the Covenant, including the right to social security.

53. To comply with their international obligations in relation to the right to social security, States parties have to respect the enjoyment of the right by refraining from actions that interfere, directly or indirectly, with the enjoyment of the right to social security in other countries.

54. States parties should extraterritorially protect the right to social security by preventing their own citizens and national entities from violating this right in other countries. Where States parties can take steps to influence third parties (non-State actors) within their jurisdiction to respect the right, through legal or political means, such steps should be taken in accordance with the Charter of the United Nations and applicable international law.

55. Depending on the availability of resources, States parties should facilitate the realization of the right to social security in other countries, for example through provision of economic and technical assistance. International assistance should be provided in a manner that is consistent with the Covenant and other human rights standards, and sustainable and culturally appropriate. Economically developed States parties have a special responsibility for and interest in assisting the developing countries in this regard.

56. States parties should ensure that the right to social security is given due attention in international agreements and, to that end, should consider the development of further legal instruments. The Committee notes the importance of establishing reciprocal bilateral and multilateral international agreements or other instruments for coordinating or harmonizing contributory social security schemes for migrant workers.[gg] Persons temporarily working in another country should be covered by the social security scheme of their home country.

57. With regard to the conclusion and implementation of international and regional agreements, States parties should take steps to ensure that these instruments do not adversely impact upon the right to social security. Agreements concerning trade liberalization should not restrict the capacity of a State party to ensure the full realization of the right to social security.

58. States parties should ensure that their actions as members of international organizations take due account of the right to social security. Accordingly, States parties that are members of international financial institutions, notably the International Monetary Fund, the World Bank,

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[gg] See International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, article 27.

and regional development banks, should take steps to ensure that the right to social security is taken into account in their lending policies, credit agreements and other international measures. States parties should ensure that the policies and practices of international and regional financial institutions, in particular those concerning their role in structural adjustment and in the design and implementation of social security systems, promote and do not interfere with the right to social security.

## 5. Core obligations

59. States parties have a core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights enunciated in the Covenant.[hh] This requires the State party:

(*a*) To ensure access to a social security scheme that provides a minimum essential level of benefits to all individuals and families that will enable them to acquire at least essential health care,[ii] basic shelter and housing, water and sanitation, foodstuffs, and the most basic forms of education. If a State party cannot provide this minimum level for all risks and contingencies within its maximum available resources, the Committee recommends that the State party, after a wide process of consultation, select a core group of social risks and contingencies;

(*b*) To ensure the right of access to social security systems or schemes on a non-discriminatory basis, especially for disadvantaged and marginalized individuals and groups;[jj]

(*c*) To respect existing social security schemes and protect them from unreasonable interference;[kk]

(*d*) To adopt and implement a national social security strategy and plan of action;[ll]

(*e*) To take targeted steps to implement social security schemes, particularly those that protect disadvantaged and marginalized individuals and groups;[mm]

(*f*) To monitor the extent of the realization of the right to social security.[nn]

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[hh] See general comment No. 3 (1990) on the nature of States parties' obligations (article 2, paragraph 1 of the Covenant).

[ii] Read in conjunction with general comment No. 14 (2000) on the right to the highest attainable standard of health (art. 12), paragraphs 43 and 44, this would include access to health facilities, goods and services on a non-discriminatory basis, provision of essential drugs, access to reproductive, maternal (prenatal as well as post-natal) and child health care, and immunization against the major infectious diseases occuring in the community.

[jj] See paragraphs 29-31 above.

[kk] See paragraphs 44-46 above.

[ll] See paragraphs 68-70 below.

[mm] See, for example, paragraphs 31-39 above.

[nn] See paragraph 74 below.

60. In order for a State party to be able to attribute its failure to meet at least its minimum core obligations to a lack of available resources, it must demonstrate that every effort has been made to use all resources that are at its disposal in an effort to satisfy, as a matter of priority, these minimum obligations.[oo]

61. The Committee also wishes to emphasize that it is particularly incumbent on States parties, and other actors in a position to assist, to provide international assistance and cooperation, especially economic and technical, to enable developing countries to fulfil their core obligations.

## IV. VIOLATIONS

62. To demonstrate compliance with their general and specific obligations, States parties must show that they have taken the necessary steps towards the realization of the right to social security within their maximum available resources, and have guaranteed that the right is enjoyed without discrimination and equally by men and women (articles 2 and 3 of the Covenant). Under international law, a failure to act in good faith to take such steps amounts to a violation of the Covenant.[pp]

63. In assessing whether States parties have complied with obligations to take action, the Committee looks at whether implementation is reasonable or proportionate with respect to the attainment of the relevant rights, complies with human rights and democratic principles and whether it is subject to an adequate framework of monitoring and accountability.

64. Violations of the right to social security can occur through acts of commission, i.e. the direct actions of States parties or other entities insufficiently regulated by States. Violations include, for example, the adoption of deliberately retrogressive measures incompatible with the core obligations outlined in paragraph 42 above; the formal repeal or suspension of legislation necessary for the continued enjoyment of the right to social security; active support for measures adopted by third parties which are inconsistent with the right to social security; the establishment of different eligibility conditions for social assistance benefits for disadvantaged and marginalized individuals depending on the place of residence; active denial of the rights of women or particular individuals or groups.

65. Violations through acts of omission can occur when the State party fails to take sufficient and appropriate action to realize the right to social security. In the context of social security, examples of such violations include the failure to take appropriate steps towards the full realization of everyone's right to social security; the failure to enforce relevant laws or put into effect policies designed to implement the right to social security; the failure to ensure the financial sustainability of State pension schemes; the failure to reform or repeal legislation which is manifestly inconsistent with the right to social security; the failure to regulate the activities of individuals or groups so as to prevent them from violating the right to social security; the failure to remove promptly obstacles which the State party is under a duty to remove in order to permit the immediate fulfilment of a right guaranteed by the Covenant; the failure to meet the core

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[oo] See general comment No. 3, paragraph 10.

[pp] See Vienna Convention on the Law of Treaties, article 26.

obligations (see paragraph 59 above); the failure of a State party to take into account its Covenant obligations when entering into bilateral or multilateral agreements with other States, international organizations or multinational corporations.

## V. IMPLEMENTATION AT THE NATIONAL LEVEL

66. In the implementation of their Covenant obligations, and in accordance with article 2, paragraph 1, of the Covenant, States parties are required to utilize "all appropriate means, including particularly the adoption of legislative measures". Every State party has a margin of discretion in assessing which measures are most suitable to meet its specific circumstances.[qq] The Covenant, however, clearly imposes a duty on each State party to take whatever steps are necessary to ensure that everyone enjoys the right to social security, as soon as possible.

### A. Legislation, strategies and policies

67. States parties are obliged to adopt all appropriate measures such as legislation, strategies, policies and programmes to ensure that the specific obligations with regard to the right to social security will be implemented. Existing legislation, strategies and policies should be reviewed to ensure that they are compatible with obligations arising from the right to social security, and should be repealed, amended or changed if inconsistent with Covenant requirements. Social security systems should also regularly be monitored to ensure their sustainability.

68. The duty to take steps clearly imposes on States parties an obligation to adopt a national strategy and plan of action to realize the right to social security, unless the State party can clearly show that it has a comprehensive social security system in place and that it reviews it regularly to ensure that it is consistent with the right to social security. The strategy and action plan should be reasonably conceived in the circumstances; take into account the equal rights of men and women and the rights of the most disadvantaged and marginalized groups; be based upon human rights law and principles; cover all aspects of the right to social security; set targets or goals to be achieved and the time frame for their achievement, together with corresponding benchmarks and indicators, against which they should be continuously monitored; and contain mechanisms for obtaining financial and human resources. When formulating and implementing national strategies on the right to social security, States parties should avail themselves, if necessary, of the technical assistance and cooperation of the United Nations specialized agencies (see Part VI below).

69. The formulation and implementation of national social security strategies and plans of action should respect, inter alia, the principles of non-discrimination, gender equality and people's participation. The right of individuals and groups to participate in decision-making processes that may affect their exercise of the right to social security should be an integral part of any policy, programme or strategy concerning social security.

70. The national social security strategy and plan of action and its implementation should also be based on the principles of accountability and transparency. The independence of the judiciary and good governance are also essential to the effective implementation of all human rights.

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[qq] See the statement by the Committee on an evaluation of the obligation to take steps to the "maximum of available resources" under an optional protocol to the Covenant (E/2008/22-E/C.12/2007/1, annex VII).

71. In order to create a favourable climate for the realization of the right to social security, States parties should take appropriate steps to ensure that the private business sector and civil society are aware of, and consider its importance, in pursuing their activities.

72. States parties may find it advantageous to adopt framework legislation to implement the right to social security. Such legislation might include: (a) targets or goals to be attained and the time frame for their achievement; (b) the means by which the purpose could be achieved; (c) the intended collaboration with civil society, the private sector and international organizations; (d) institutional responsibility for the process; (e) national mechanisms for its monitoring; and (f) remedies and recourse procedures.

### B. Decentralization and the right to social security

73. Where responsibility for the implementation of the right to social security has been delegated to regional or local authorities or is under the constitutional authority of a federal body, the State party retains the obligation to comply with the Covenant, and therefore should ensure that these regional or local authorities effectively monitor the necessary social security services and facilities, as well as the effective implementation of the system. The States parties must further ensure that such authorities do not deny access to benefits and services on a discriminatory basis, whether directly or indirectly.

### C. Monitoring, indicators and benchmarks

74. States parties are obliged to monitor effectively the realization of the right to social security and should establish the necessary mechanisms or institutions for such a purpose. In monitoring progress towards the realization of the right to social security, States parties should identify the factors and difficulties affecting implementation of their obligations.

75. To assist the monitoring process, right to social security indicators should be identified in national strategies or plans of action in order that the State party's obligations under article 9 can be monitored at the national and international levels. Indicators should address the different elements of social security (such as adequacy, coverage of social risks and contingencies, affordability and accessibility), be disaggregated on the prohibited grounds of discrimination, and cover all persons residing in the territorial jurisdiction of the State party or under its control. States parties may obtain guidance on appropriate indicators from the ongoing work of the International Labour Organization (ILO), the World Health Organization (WHO) and the International Social Security Association (ISSA).

76. Having identified appropriate indicators for the right to social security, States parties are invited to set appropriate national benchmarks. During the periodic reporting procedure, the Committee will engage in a process of "scoping" with States parties. Scoping involves the joint consideration by States parties and the Committee of the indicators and national benchmarks which will then provide the targets to be achieved during the next reporting period. In the following five years, the States parties will use these national benchmarks to help monitor their implementation of the right to social security. Thereafter, in the subsequent reporting process, States parties and the Committee will consider whether or not the benchmarks have been

achieved, and the reasons for any difficulties that may have been encountered.[rr] When setting benchmarks and preparing their reports, States parties should utilize the extensive information and advisory services of the United Nations specialized agencies and programmes.

### D. Remedies and accountability

77. Any persons or groups who have experienced violations of their right to social security should have access to effective judicial or other appropriate remedies at both national and international levels.[ss] All victims of violations of the right to social security should be entitled to adequate reparation, including restitution, compensation, satisfaction or guarantees of non-repetition. National ombudspersons, human rights commissions, and similar national human rights institutions should be permitted to address violations of the right. Legal assistance for obtaining remedies should be provided within maximum available resources.

78. Before any action is carried out by the State party, or by any other third party, that interferes with the right of an individual to social security the relevant authorities must ensure that such actions are performed in a manner warranted by law, compatible with the Covenant, and include: (a) an opportunity for genuine consultation with those affected; (b) timely and full disclosure of information on the proposed measures; (c) reasonable notice of proposed actions; (d) legal recourse and remedies for those affected; and (e) legal assistance for obtaining legal remedies. Where such action is based on the ability of a person to contribute to a social security scheme, their capacity to pay must be taken into account. Under no circumstances should an individual be deprived of a benefit on discriminatory grounds or of the minimum essential level of benefits as defined in paragraph 59 (a).

79. The incorporation in the domestic legal order of international instruments recognizing the right to social security can significantly enhance the scope and effectiveness of remedial measures and should be encouraged. Incorporation enables courts to adjudicate violations of the right to social security by direct reference to the Covenant.

80. Judges, adjudicators and members of the legal profession should be encouraged by States parties to pay greater attention to violations of the right to social security in the exercise of their functions.

81. States parties should respect, protect, facilitate and promote the work of human rights advocates and other members of civil society, with a view to assisting disadvantaged and marginalized individuals and groups in the realization of their right to social security.

## VI. OBLIGATIONS OF ACTORS OTHER THAN STATES

82. The United Nations specialized agencies and other international organizations concerned with social security, such as ILO, WHO, the United Nations Food and Agriculture Organization, the United Nations Children's Fund, the United Nations Human Settlements Programme, the United Nations Development Programme and ISSA, as well as international organizations

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[rr] See general comment No. 14 (2000) on the right to the highest attainable standard of health (art. 12), paragraph 58.

[ss] See general comment No. 9 (1998) on the domestic application of the Covenant, paragraph 4.

concerned with trade such as the World Trade Organization, should cooperate effectively with States parties, building on their respective expertise, in relation to the implementation of the right to social security.

83. The international financial institutions, notably the International Monetary Fund and the World Bank, should take into account the right to social security in their lending policies, credit agreements, structural adjustment programmes and similar projects,[tt] so that the enjoyment of the right to social security, particularly by disadvantaged and marginalized individuals and groups, is promoted and not compromised.

84. When examining the reports of States parties and their ability to meet the obligations to realize the right to social security, the Committee will consider the effects of the assistance provided by all other actors. The incorporation of human rights law and principles in the programmes and policies of international organizations will greatly facilitate the implementation of the right to social security.

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[tt] See general comment No. 2 (1990) on international technical assistance measures (article 22 of the Covenant).

# ANNEX VIII

## An evaluation of the obligation to take steps to the "maximum of available resources" under an optional protocol to the Covenant

## Statement by the Committee on Economic, Social and Cultural Rights[a]

1. The Committee on Economic, Social and Cultural Rights welcomes the decision of the Human Rights Council to draft an optional protocol to the Covenant. Such a protocol granting it authority to consider individual and collective communications will assist the Committee in monitoring the implementation of the Covenant by complementing the periodic review of reports, thus strengthening the Committee's interpretation of the Covenant.

2. The Committee is aware of States parties' interest in obtaining further clarification as to how it would apply the obligation under article 2, paragraph 1, "to take steps … to the maximum of its available resources" to achieve progressively the full realization of the rights recognized in the Covenant.[b] Of particular relevance is how the Committee would examine communications concerning this obligation, while fully respecting the authority vested in relevant State organs to adopt what it considers to be its most appropriate policies and to allocate resources accordingly. On the basis of its practice under the periodic reporting process, the Committee, in the present statement, seeks to clarify how it might consider States parties' obligations under article 2, paragraph 1, in the context of an individual communications procedure.

3. Having already examined the terms of article 2, paragraph 1, in its general comment No. 3 (1990), the Committee reiterates that in order to achieve progressively the full realization of the Covenant, States parties must take deliberate, concrete and targeted steps within a reasonably short time after the Covenant's entry into force for the States concerned. The steps should include "all appropriate means, including particularly the adoption of legislative measures". In addition to legislation, the Committee understands the term "appropriate means" to include the provision of judicial or other remedies, where appropriate, as well as "administrative, financial, educational and social measures" (general comment No. 3, para. 7; and general comment No. 9 (1998), paras. 3-5, 7).

4. The "availability of resources", although an important qualifier to the obligation to take steps, does not alter the immediacy of the obligation, nor can resource constraints alone justify inaction. Where the available resources are demonstrably inadequate, the obligation remains for a State party to ensure the widest possible enjoyment of economic, social and cultural rights

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[a] Adopted by the Committee on 10 May 2007.

[b] Article 2, paragraph 1, provides that "Each State party to the present Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures."

under the prevailing circumstances. The Committee has already emphasized that, even in times of severe resource constraints, States parties must protect the most disadvantaged and marginalized members or groups of society by adopting relatively low-cost targeted programmes.

5. The undertaking by a State party to use "the maximum" of its available resources towards fully realizing the provisions of the Covenant entitles it to receive resources offered by the international community. In this regard, the phrase "to the maximum of its available resources" refers to both the resources existing within a State as well as those available from the international community through international cooperation and assistance.

6. As regards the core obligations of States parties in relation to each of the Covenant rights, general comment No. 3 states that in order for a State party to be able to attribute its failure to meet its core obligations to a lack of available resources, it must demonstrate that every effort has been made to use all resources that are at its disposal in an effort to satisfy, as a matter of priority, those core obligations.

7. Apart from the obligation to take steps (art. 2, para. 1), States parties have an immediate obligation to "guarantee that the rights enunciated in the Covenant will be exercised without discrimination of any kind" (art. 2, para. 2). This obligation frequently requires the adoption and implementation of appropriate legislation and does not necessarily require significant resource allocations. Similarly, the obligation to respect requires States to refrain from interfering directly or indirectly with the enjoyment of Covenant rights and does not necessarily require significant State involvement. For example, the right of women to an equal salary for equal work should be implemented immediately. The obligation to protect and, to a greater extent, the obligation to fulfil, on the other hand, often require positive budgetary measures in order to prevent third parties from interfering with the rights recognized in the Covenant (obligation to protect) or to facilitate, provide and promote the enjoyment of these rights (obligation to fulfil).

8. In considering a communication concerning an alleged failure of a State party to take steps to the maximum of available resources, the Committee will examine the measures that the State party has effectively taken, legislative or otherwise. In assessing whether they are "adequate" or "reasonable", the Committee may take into account, inter alia, the following considerations:

(*a*) The extent to which the measures taken were deliberate, concrete and targeted towards the fulfilment of economic, social and cultural rights;

(*b*) Whether the State party exercised its discretion in a non-discriminatory and non-arbitrary manner;

(*c*) Whether the State party's decision (not) to allocate available resources was in accordance with international human rights standards;

(*d*) Where several policy options are available, whether the State party adopted the option that least restricts Covenant rights;

(*e*) The time frame in which the steps were taken;

(*f*) Whether the steps had taken into account the precarious situation of disadvantaged and marginalized individuals or groups and whether they were non-discriminatory, and whether they prioritized grave situations or situations of risk.

9. The Committee notes that in case of failure to take any steps or of the adoption of retrogressive steps, the burden of proof rests with the State party to show that such a course of action was based on the most careful consideration and can be justified by reference to the totality of the rights provided for in the Covenant and by the fact that full use was made of available resources.

10. Should a State party use "resource constraints" as an explanation for any retrogressive steps taken, the Committee would consider such information on a country-by-country basis in the light of objective criteria such as:

(*a*) The country's level of development;

(*b*) The severity of the alleged breach, in particular whether the situation concerned the enjoyment of the minimum core content of the Covenant;

(*c*) The country's current economic situation, in particular whether the country was undergoing a period of economic recession;

(*d*) The existence of other serious claims on the State party's limited resources; for example, resulting from a recent natural disaster or from recent internal or international armed conflict;

(*e*) Whether the State party had sought to identify low-cost options;

(*f*) Whether the State party had sought cooperation and assistance or rejected offers of resources from the international community for the purposes of implementing the provisions of the Covenant without sufficient reason.

11. In its assessment of whether a State party has taken reasonable steps to the maximum of its available resources to achieve progressively the realization of the provisions of the Covenant, the Committee places great importance on transparent and participative decision-making processes at the national level. At all times the Committee bears in mind its own role as an international treaty body and the role of the State in formulating or adopting, funding and implementing laws and policies concerning economic, social and cultural rights. To this end, and in accordance with the practice of judicial and other quasi-judicial human rights treaty bodies, the Committee always respects the margin of appreciation of States to take steps and adopt measures most suited to their specific circumstances.

12. Where the Committee considers that a State party has not taken reasonable or adequate steps, it will make relevant recommendations to the State party. In line with the practice of other treaty bodies, the Committee will respect the margin of appreciation of the State party to determine the optimum use of its resources and to adopt national policies and prioritize certain resource demands over others.

**13. In the context of an optional protocol, the Committee could make recommendations, inter alia, along four principal lines:**

**(*a*) Recommending remedial action, such as compensation, to the victim, as appropriate;**

**(*b*) Calling upon the State party to remedy the circumstances leading to a violation. In doing so, the Committee might suggest goals and parameters to assist the State party in identifying appropriate measures. These parameters could include suggesting overall priorities to ensure that resource allocation conformed with the State party's obligations under the Covenant; provision for the disadvantaged and marginalized individuals and groups; protection against grave threats to the enjoyment of economic, social and cultural rights; and respect for non-discrimination in the adoption and implementation of measures;**

**(*c*) Suggesting, on a case-by-case basis, a range of measures to assist the State party in implementing the recommendations, with particular emphasis on low-cost measures. The State party would nonetheless still have the option of adopting its own alternative measures;**

**(*d*) Recommending a follow-up mechanism to ensure ongoing accountability of the State party; for example, by including a requirement that in its next periodic report the State party explain the steps taken to redress the violation.**

## ANNEX IX

# Report of the seventh meeting of the Joint Expert Group UNESCO (Committee on Conventions and Recommendations)/ECOSOC (Committee on Economic, Social and Cultural Rights) on the Monitoring of the Right to Education

1. The seventh meeting of the Joint Expert Group UNESCO (Committee on Conventions and Recommendations)/ECOSOC (Committee on Economic, Social and Cultural Rights) on the Monitoring of the Right to Education was held on 7 December 2007 at the UNESCO Headquarters in Paris. Mr. José Duarte Ramalho Ortigao (Ambassador and Permanent Delegate of Portugal to UNESCO and member of the Joint Expert Group), Mr. Olabiyi Babalola Joseph Yai (Ambassador, and Permanent Delegate of Benin to UNESCO and member of the Joint Expert Group), Mr. Philippe Texier (Chairperson of the Committee on Economic, Social and Cultural Rights, who substituted Mr. Eibe Riedel as member of the Joint Expert Group) and Ms. Virginia Bonoan-Dandan (Member of the Committee on Economic, Social and Cultural Rights and of the Joint Expert Group) participated in the meeting. Other participants were Ms. Mónica Moutinho (First Secretary, Permanent Delegation of Portugal to UNESCO), Ms. Françoise Medegan (First Counsellor, Permanent Delegation of Benin to UNESCO), Ms. Ann-Therese Ndong-Jatta (Director, UNESCO Division for the Promotion of Basic Education), Mr. Kishore Singh (Programme Specialist, UNESCO Division for the Promotion of Basic Education and Secretary of the Joint Expert Group), Ms. Rolla Moumne (Assistant Programme Specialist, UNESCO Division for the Promotion of Basic Education) and Mr. Jakob Schneider (Human Rights Officer, United Nations Office of the High Commissioner for Human Rights). Mr. Texier chaired the meeting.

2. Mr. Nicholas Burnett, Assistant Director-General for Education of UNESCO, welcomed the members of the Joint Expert Group and underlined the significance of the work it accomplished, in particular in strengthening the legal foundations of the right to education, analysing the enforcement of that right, including its justiciability, and emphasizing the core obligations of States in relation to free universal primary education. In future, greater emphasis should be placed on national level action to "reach the unreached" and ensure equal educational opportunities for disadvantaged and marginalized groups.

3. The Joint Expert Group discussed issues of common concern to UNESCO and CESCR related to the outcome of the Seventh Consultation of Member States on the Implementation of the UNESCO Convention and Recommendation against Discrimination in Education (1960). It was noted that only 51 out of the 94 States parties to the Convention against Discrimination in Education submitted reports during the seventh consultation. In the absence of any sanctions for non-reporting, it was suggested that a list of those States which failed to submit a report on the implementation of the Convention be published as an annex to the analytical report of the Executive Board on the outcome of each consultation cycle.

4. Members of the Joint Expert Group expressed the view that the low number of reports received indicated a need for enhanced technical assistance and awareness-raising about the Convention, including through National UNESCO Commissions, which should receive specific training for that purpose. Many States were not fully aware of their reporting obligations

under the Convention. Although the recent guidelines for the preparation of reports on the implementation of the Convention (based on the 1991 reporting guidelines of CESCR) provided useful guidance in that regard, it was suggested that these guidelines should be simplified in the light of the draft guidelines on treaty-specific documents to be submitted by States parties under article 16 of the International Covenant on Economic, Social and Cultural Rights.

5. Members of the Joint Expert Group rejected the possibility of a joint reporting procedure under the Convention and under the Covenant, recalling that the reporting procedure under the Convention differed substantially from that under the Covenant, as it was confidential and involved no constructive dialogue, conclusions, or follow-up to such conclusions. Synergies between both procedures could nevertheless be created if States parties were to provide in their reports under the Convention information already contained in their reports to CESCR, and vice versa, in accordance with paragraph 15 of the guidelines for the preparation of reports on the implementation of the Convention and the draft guidelines on treaty-specific documents to be submitted under article 16 of the Covenant. Another possibility to reduce the reporting burden of States would be to replace the Convention reports by short updating reports, if a comprehensive report has been prepared for the previous consultation. Making reports under the Convention available for online consultation would require that States parties submit electronic versions of their reports to UNESCO.

6. The Joint Expert Group emphasized that the implementation of the Convention and of articles 13 and 14 of the Covenant could be enhanced through the sharing of good practices and experiences regarding the elimination of discrimination and promotion of equal opportunities in education. One way of sharing such practices would be the creation of a common UNESCO/CESCR Joint Expert Group website compiling practical examples of measures reported by States parties to CESCR and under the Convention.

7. The Joint Expert Group also discussed possible ways of further enhancing interaction between UNESCO and CESCR in the reporting and follow-up processes. One possibility would be for CESCR to raise specific issues with States parties based on UNESCO submissions, and for UNESCO to act on relevant recommendations contained in the concluding observations of CESCR. In addition, CESCR could encourage States parties which had not yet done so to consider ratifying the Convention.

8. The Joint Expert Group adopted the following recommendations:

(i) UNESCO and CESCR should encourage States to include in their reports under the Convention against Discrimination in Education, to the extent possible, information already contained in reports previously submitted to CESCR, and vice versa, with a view to increasing synergies between the reporting procedures under the Convention and under the Covenant, while reducing the reporting burden on States;

(ii) UNESCO should explore ways and means to further strengthen the technical assistance provided to States parties for the preparation of their reports on the implementation of the Convention, including through the intermediary of National UNESCO Commissions, which should receive specific training for that purpose;

**(iii) CESCR and UNESCO should create a common website compiling practical measures which, according to reports received from States parties to the Covenant and to the Convention, serve as good practices and experiences regarding the elimination of discrimination and promotion of equal opportunities in education;**

**(iv) UNESCO should pay greater attention to the right to education, which is central to its constitutional mandate, and ensure that greater visibility is given to the right to education and to the work of the Joint Expert Group.**

**9. The Joint Expert Group decided to examine normative action for inclusive approaches and wider access to education at its 8th meeting, to be held in Geneva in May 2008.**

## ANNEX X

## A. List of States parties' delegations which participated in the consideration of their respective reports by the Committee on Economic, Social and Cultural Rights at its thirty-eighth session

**LATVIA**

*Representative*:
Mr. Aigars Stokenbergs
Minister of Regional Development and Local Government Matters

*Advisers*:
Ms. Sandra Baltina
Director
Social Services and Social Assistance Department
Ministry of Welfare

Ms. Ingüna Berke
Specialized Attaché of the Ministry of Economy
Permanent Mission of Latvia to the World Trade Organization in Geneva

Ms. Evija Dumpe
Counsellor
Permanent Mission of Latvia to the United Nations Office at Geneva

Ms. Sandra Kaulina
Lawyer
Office of the Representative of the Government of Latvia before International Human Rights Organizations

Ms. Dace Melnbärde
Undersecretary of State on Cultural Policy Matters
Ministry of Culture

Mr. Rinalds Mucins
Undersecretary of State
Ministry of Health

Ms. Jana Muizniece
Director
Social Insurance Department
Ministry of Welfare

**LATVIA** (*cont'd*)

*Advisers*: (*cont'd*)

Ms. Ilze Osa
Director
Housing Policy Department
Ministry of Economy

Ms. Evija Papule
Director
General Education Quality Assessment
State Agency

Ms. Inga Reine
Representative of the Government of Latvia before
International Human Rights Organizations

Mr. Agris Skudra
Head of Unit
Child and Family Policy Department
Ministry for Children and Family Affairs

Ms. Ineta Täre
Director
Labour Department
Ministry of Welfare

**HUNGARY**

*Representative*:

Ms. Erzsébet Kaponyi Kardosné
Special Representative of Hungary to the Committee
on Economic, Social and Cultural Rights

*Advisers*:

H.E. Ambassador Gyula Szelei Kiss
Permanent Representative
Permanent Mission of Hungary, Geneva

Ms. Edit Rauh
State Secretary for Equal Opportunities
Ministry of Social Affairs and Labour

Ms. Katalin Rapi
State Secretary
Ministry of Health

Mr. Péter Horváth
Director
Department for Disability Affairs and Rehabilitation
Ministry of Social Affairs and Labour

Ms. Istvánné Somodi
Director
Department for Employment
Ministry of Social Affairs and Labour

**HUNGARY** (*cont'd*) *Advisers:* (*cont'd*)

Ms. Erika Pehr Katonáné
Director
Department for Child and Youth Protection
Ministry of Social Affairs and Labour

Ms. Emese Batár Horváthné
Counsellor
Department of Labour Relations and Wage Policy
Ministry of Social Affairs and Labour

Mr. István Szívi
Head of Section for Adult and Vocational Training
Ministry of Social Affairs and Labour

Ms. Erika Lukács
Advisor
Ministry of Social Affairs and Labour

Ms. Réka Rácz
Advisor
Ministry of Social Affairs and Labour

Mr. Bálint Raffay
Counsellor
Department of Legal and Public Administration Affairs
Ministry of Health

Mr. Zoltán Tallódi
Counsellor
Ministry of Justice and Law Enforcement

Mr. András Forgács
Counsellor
Ministry of Education and Culture

Ms. Szilvia Pallaghy Hegyiné
Head of Section
Ministry of Education and Culture

Mr. Iván Rónai
Deputy Director
Ministry of Education and Culture

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| **HUNGARY** (*cont'd*) | *Advisers*:<br>(*cont'd*) | Mr. István Lakatos<br>Counsellor<br>Ministry for Foreign Affairs of Hungary |
| | | Ms. Orsolya Tóth<br>Second Secretary<br>Permanent Mission of Hungary, Geneva |
| | | Ms. Ildikó Várkonyi<br>Interpreter |
| **FINLAND** | *Representative*: | Mr. Arto Kosonen<br>Director<br>Ministry for Foreign Affairs |
| | *Advisers*: | Ms. Ulla Karvo<br>Member of Parliament<br>Parliament of Finland |
| | | Mr. Sami Manninen<br>Committee Counsel<br>Parliament of Finland |
| | | Ms. Tuula Majuri<br>Ministry of Justice |
| | | Ms. Ritva-Sini Merilampi<br>Ministry of Education |
| | | Ms. Eija Koivuranta<br>Ministry of Social Affairs and Health |
| | | Ms. Tarja Kröger<br>Ministry of Labour |
| | | Ms. Johanna Puiro<br>Ministry of the Interior |
| | | Mr. Lasse Keisalo<br>Permanent Mission of Finland to the United Nations |
| | | Ms. Päivi Rotola-Pukkila<br>Legal Officer<br>Ministry for Foreign Affairs |

**NEPAL**

*Representative*:
Dr. Trilochan Upreti
Joint Secretary
Office of the Prime Minister

*Advisers*:
Mr. Kedal Paudel
Joint Secretary
Ministry of Law, Justice and Parliamentary Affairs

Mr. Bharat Raj Paudyal
Minister Counsellor
Chargé d'Affaires, a.i.
Permanent Mission of Nepal to the United Nations
Office at Geneva

**NETHERLANDS**
**(ANTILLES)**

*Representative*:
Ms. Violet Ray
Legal Advisor of the Social Security Bank of the
Netherlands Antilles

Ms. Virlène Els
Policy Advisor of the Directorate of Labour Affairs
of the Netherlands Antilles

Mr. Henri Vijber
Special Advisor to the Minister of Education and
Culture of the Netherlands Antilles

Ms. Ann Philipps
Senior Policy Advisor of the Office of Foreign
Relations of the Netherlands Antilles

Ms. Joan Theodora-Brewster
Head of the Section Prevention
Juvenile Protection and Judicial Facilities and
Deputy Director of the Directorate of Justice

Mr. Pieter Ramaer
Counsellor
Permanent Mission of the Netherlands to the
United Nations Office at Geneva

## B. List of States parties' delegations which participated in the consideration of their respective reports by the Committee on Economic, Social and Cultural Rights at its thirty-ninth session

**COSTA RICA**

*Representative*: Sra. Gioconda Ubeda
Jefe de Delegación
Embajadora en Misión especial
Ministerio de Relaciones Exteriores y Culto

*Advisers*: Sra. Laura Thompson Chacón
Jefe Alterno de Delegación
Embajador Representante Permanente
Misión Permanente de Costa Rica en Ginebra

Sra. Alexandra Segura
Ministro Consejero

Sra. Eugenia Gutiérrez
Asesora Legal

**UKRAINE**

*Representative*: Ms. L. Drozdova
Head of Delegation
Ministry of Labour and Social Policy

*Advisers*: Ms. L. Yefimenko
Deputy Minister
Ministry of Justice

Mr. V. Latik
Head of Department
Strategy of Social Development
Ministry of Labour and Social Policy

Mr. R. Doroshevych
Head of Department
Development of Social and Humanitarian Sphere
Ministry of Economy

Mr. O. Sukholytkyi
Head of Department
International Cooperation and European Integration
Ministry of Education and Science

Ms. M. Zhdanova
Head of Department
Development of Medical Assistance
Ministry of Health

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| **UKRAINE** (*cont'd*) | *Advisers*:<br>(*cont'd*) | Ms. T. Ivanenko<br>Deputy Head of Department<br>Adoption and Protection of the Rights of the Child<br>Ministry of Ukraine for Family and Sport |
| | | Mr. O. Karbachynski<br>Chief of Department<br>International Cooperation<br>State Committee on Nationalities and Religions |
| | | Ms. T. Semeniuta<br>Second Secretary<br>Permanent Mission of Ukraine to the United Nations<br>Office at Geneva |
| **SAN MARINO** | *Representative*: | Mr. Dario Galassi<br>Ambassador<br>Permanent Representative<br>Permanent Mission of San Marino to the<br>United Nations Office at Geneva |
| | *Advisers*: | Mr. Lanfranco Ferroni<br>Judge of Civil Appeals |
| | | Ms. Rina Melandri<br>Coordinator<br>Department of Education and Culture |
| | | Mr. Vladimiro Selva<br>Coordinator<br>Department of Territory, Environment and<br>Agriculture |
| | | Ms. Milena Gasperoni<br>Director<br>Labour Office |
| | | Ms. Federica Bigi<br>Minister Plenipotentiary<br>Director<br>Political Affairs<br>Ministry for Foreign and Political Affairs |
| | | Mr. Andrea Gualtieri<br>Acting Director<br>Health Authority |

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| **SAN MARINO**<br>(*cont'd*) | *Advisers*:<br>(*cont'd*) | Ms. Sabrina Bernardi<br>State Lawyer |
| | | Mr. Edgardo Ercolani<br>Head<br>Economic and Health Services Unit |
| | | Ms. Laura Gobbi<br>Official<br>Department of Education and Culture |
| | | Mr. Andrej Ceccoli<br>Coordinator<br>Gender Equality Commission |
| | | Mr. Massimo Della Balda<br>Member<br>Commission for the Management of Subsidized Housing |
| | | Mr. Eros Gasperoni<br>First Secretary<br>Ministry for Foreign and Political Affairs |
| **BELGIUM** | *Representative*: | M. François Vandamme<br>Conseiller général<br>Chief<br>Division des Affaires internationals<br>Service public fédéral Emploi, Travail et Concertation sociale |
| | *Advisers*: | M. Bart Ouvry<br>Représentant permanent adjoint<br>Mission permanente de la Belgique auprès des Nations Unies à Genève |
| | | Mlle. Marie-Paule Urbain<br>Service public fédéral Emploi, Travail et Concertation sociale |
| | | Mlle. Stéphanie Hautot<br>Service public fédéral Emploi, Travail et Concertation sociale |
| | | M. Jacques Donis<br>Service public fédéral Sécurité sociale |

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| **BELGIUM** (*cont'd*) | *Advisers*:<br>(*cont'd*) | Mlle. Chantal Gallant<br>Service public fédéral Justice |
| | | Mlle. Frédérique Fastré<br>Institut pour l'Egalité des Femmes et des Hommes |
| | | Mlle. Valérie Proumen<br>Service publique fédéral Integration sociale |
| | | M. Geert de Vulder<br>Service public fédéral Intérieur |
| | | M. David Maenaut<br>Communauté flamande de Belgique et Région flamande, Genève |
| | | Mlle. Marie-Henriette Timmermans<br>Communauté française de Belgique et Région wallonne, Genève |
| | | M. Sejdi Qerimaj<br>Head of Delegation<br>Ambassador and Permanent Representative |
| | | Mr. Jochen De Vylder<br>Représentant permanente<br>Mission permanente de la Belgique auprès des Nations Unies à Genève |
| **PARAGUAY** | *Representative*: | Sra. Victorina Ruiz Diaz De Espinola<br>Jefe de Delegación<br>Ministra<br>Secretaría Ejecutiva de la Niñez y Adolescencia |
| | *Advisers*: | Sr. Rigoberto Gauto Vielman<br>Embajador<br>Representante Permanente<br>Misión Permanente del Paraguay ante la Oficina de las Naciones Unidas en Ginebra |
| | | Sr. Carlos Arce<br>Viceministro de Justicia<br>Ministerio de Justicia y Trabajo |

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| **PARAGUAY**<br>*(cont'd)* | *Advisers*:<br>*(cont'd)* | Sr. Edgar Taboada<br>Director General de Derechos Humanos<br>Ministerio de Justicia y Trabajo |
| | | Sr. Manuel Acosta<br>Director General<br>Ministerio de Hacienda |
| | | Sra. Martha Moreno Ministra<br>Misión Permanente del Paraguay ante la Oficina de las Naciones Unidas en Ginebra |
| | | Sr. Francisco Barreiro<br>Consejero<br>Director de Derechos Humanos<br>Ministerio de Relaciones Exteriores |
| | | Sr. Hugo Chaparro<br>Dirección de Derechos Humanos<br>Ministerio de Relaciones Exteriores |

# ANNEX XI

## A. List of documents before the Committee at its thirty-eighth session

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| E/C.12/38/1 | Draft agenda and programme of work of the thirty-eighth session of the Committee |
| E/C.12/38/2 | Status of ratifications and reporting |
| E/C.12/1990/4/Rev.1 | Rules of procedure of the Committee |
| E/C.12/1991/1 | Revised general guidelines |
| HRI/MC/2006/3 and Corr.1 | Harmonized guidelines for the preparation of a common core document |
| A/61/385 | Report of the chairpersons of the human rights treaty bodies on their eighteenth meeting |
| HRI/MC/2007/2 | Report of the working group on the harmonization of working methods of treaty bodies |
| HRI/MC/2007/3 | Conclusions of the International Roundtable on the Role of National Human Rights Institutions and Treaty Bodies (Berlin, 23 and 24 November 2006) |
| HRI/MC/2007/5 | Report of the meeting of the working group on reservations |
| HRI/GEN/1/Rev.8 | Compilation of general comments and general recommendations adopted by human rights treaty bodies |
| HRI/GEN/2/Rev.3 | Compilation of guidelines on the form and content of reports to be submitted by States parties |
| HRI/GEN/3/Rev.2 and Add.1 | Compilation of rules of procedure adopted by human rights treaty bodies: note by the Secretariat |
| A/HRC/6/WG.4/2 | Draft optional protocol to the International Covenant on Economic, Social and Cultural Rights, prepared by the Chairperson-Rapporteur |
| E/1990/5/Add.70 | Reports submitted by States parties to the Covenant: initial report of Latvia |
| E/C.12/HUN/3 | Reports submitted by States parties to the Covenant: third periodic report of Hungary |

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| E/C.12/FIN/5 | Reports submitted by States parties to the Covenant: fifth periodic report of Finland |
| E/C.12/NPL/2 | Reports submitted by States parties to the Covenant: second periodic report of Nepal |
| E/C.12/ANT/3 | Reports submitted by States parties to the Covenant: third periodic report of the Netherlands (Antilles) |
| HRI/CORE/1/Add.123 | Core document forming part of the reports of States parties: Latvia |
| HRI/CORE/1/Add.11 | Core document forming part of the reports of States parties: Hungary |
| HRI/CORE/1/Add.59/Rev.2 | Core document forming part of the reports of States parties: Finland |
| HRI/CORE/1/Add.42 | Core document forming part of the reports of States parties: Nepal |
| HRI/CORE/1/Add.67 | Core document forming part of the reports of States parties: Netherlands (Antilles) |
| E/C.12/LVA/Q/1, and Corr.1 and E/C.12/LVA/Q/2 | List of issues to be taken up in connection with the consideration of the initial report of Latvia |
| E/C.12/HUN/Q/3 | List of issues to be taken up in connection with the consideration of the third periodic report of Hungary |
| E/C.12/FIN/Q/5 | List of issues to be taken up in connection with the consideration of the fifth periodic report of Finland |
| E/C.12/NPL/Q/2 | List of issues to be taken up in connection with the consideration of the second periodic report of Nepal |
| E/C.12/ANT/Q/3 | List of issues to be taken up in connection with the consideration of the third periodic report of the Netherlands (Antilles) |
| E/C.12/LVA/Q/1/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the initial report of Latvia |
| E/C.12/HUN/Q/3/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the third periodic report of Hungary |
| E/C.12/FIN/Q/5/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the fifth periodic report of Finland |

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| E/C.12/NPL/Q/2/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the second periodic report of Nepal |
| E/C.12/ANT/Q/3/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the third periodic report of the Netherlands (Antilles) |

**Previous concluding observations of the human rights treaty monitoring bodies on Latvia**

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| CCPR/CO/79/LVA | Concluding observations of the Human Rights Committee |
| CCPR/CO/79/LVA/Add.1 | Comments by the Government of Latvia to the concluding observations of the Human Rights Committee |
| A/59/38 (Part II), paras. 30-79 | Concluding observations of the Committee on the Elimination of Discrimination against Women |
| A/58/18, paras. 437-462 | Concluding observations of the Committee on the Elimination of Racial Discrimination |
| CAT/C/CR/31/3 | Concluding observations of the Committee against Torture |
| CRC/C/LVA/CO/2 | Concluding observations of the Committee on the Rights of the Child |

**Previous concluding observations of the human rights treaty monitoring bodies on Hungary**

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| E/C.12/1992/2, paras. 133-154 | Concluding observations of the Committee on Economic, Social and Cultural Rights |
| CCPR/CO/74/HUN | Concluding observations of the Human Rights Committee |
| CCPR/CO/74/HUN/Add.1 | Comments of the Government of Hungary on the concluding observations of the Human Rights Committee |
| A/57/38 (Part III), paras. 309-338 | Concluding observations of the Committee on the Elimination of Discrimination against Women |
| A/57/18, paras. 367-390 | Concluding observations of the Committee on the Elimination of Racial Discrimination |
| CAT/C/HUN/CO/4 | Concluding observations of the Committee against Torture |
| CRC/C/HUN/CO/2 | Concluding observations of the Committee on the Rights of the Child |

## Previous concluding observations of the human rights treaty monitoring bodies on Finland

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| CCPR/CO/82/FIN | Human Rights Committee |
| A/56/38, paras. 279-311 | Concluding observations of the Committee on the Elimination of Discrimination against Women |
| A/58/18, paras. 394-414, p. 69 | Concluding observations of the Committee on the Elimination of Racial Discrimination |
| CAT/C/CR/34/FIN | Concluding observations of the Committee against Torture |
| CRC/C/OPAC/FIN/CO/1 | Concluding observations of the Committee on the Rights of the Child |
| CRC/C/15/Add.272 | Concluding observations of the Committee on the Rights of the Child |
| E/C.12/1/Add.66 | Concluding observations of the Committee on Economic, Social and Cultural Rights |
| CCPR/C/79/Add.42 | Concluding observations of the Human Rights Committee |
| A/59/38 (Part I), paras. 179-225 | Concluding observations of the Committee on the Elimination of Discrimination against Women |
| CERD/C/64/CO/5 | Concluding observations of the Committee on the Elimination of Racial Discrimination |
| CAT/C/NPL/CO/2 | Concluding observations of the Committee against Torture |
| CRC/C/15/Add.261 | Concluding observations of the Committee on the Rights of the Child |

## Previous concluding observations of the human rights treaty monitoring bodies on the Netherlands (Antilles)

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| E/C.12/1/Add.25 | Concluding observations of the Committee on Economic, Social and Cultural Rights |
| CCPR/CO/72/NET | Concluding observations of the Human Rights Committee |
| CCPR/CO/72/NET/Add.1 | Replies of the Government of the Netherlands to the concluding observations of the Human Rights Committee |

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| A/56/38, paras. 185-231 | Concluding observations of the Committee on the Elimination of Discrimination against Women |
| CERD/C/304/Add.104 | Concluding observations of the Committee on the Elimination of Racial Discrimination |
| CRC/C/15/Add.186 | Concluding observations of the Committee on the Rights of the Child |

## B. List of documents before the Committee at its thirty-ninth session

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| E/C.12/39/Rev.1 | Provisional agenda and Draft programme of work of the thirty-ninth session of the Committee |
| E/C.12/1990/4/Rev.1 | Rules of procedure of the Committee |
| E/C.12/1991/1 | Revised general guidelines |
| HRI/GEN/1/Rev.8 and Add.1 | Compilation of general comments |
| HRI/MC/2006/3 and Corr.1 | Harmonized guidelines for the preparation of a common core document |
| A/61/385 | Report of the chairpersons of the human rights treaty bodies on their eighteenth meeting |
| HRI/MC/2007/2 and Add.1 | Report of the working group on the harmonization of working methods of treaty bodies |
| HRI/MC/2007/4 | Report of the working methods of the treaty bodies relating to the reporting process |
| HRI/MC/2007/5 and Add.1 | Report of the meeting of the working group on reservations |
| HRI/MC/2007/6 | Report on the implementation of recommendations of the fifth Inter-Committee Meeting and the eighteenth meeting of chairpersons of human rights treaty bodies |
| HRI/GEN/1/Rev.8 and Add.1 | Compilation of general comments and general recommendations adopted by human rights treaty bodies |

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| **HRI/GEN/2/Rev.4** | **Compilation of guidelines on the form and content of reports to be submitted by States parties** |
| **HRI/GEN/3/Rev.2 and Add.1** | **Compilation of rules of procedure adopted by human rights treaty bodies: note by the Secretariat** |
| **A/HRC/6/WG.4/2** | **Draft optional protocol to the International Covenant on Economic, Social and Cultural Rights prepared by the Chairperson-Rapporteur** |
| **E/C.12/CRI/4** | **Reports submitted by States parties to the Covenant: second to fourth periodic reports of Costa Rica** |
| **E/C.12/UKR/5** | **Reports submitted by States parties to the Covenant: fifth periodic report of Ukraine** |
| **E/C.12/SMR/4** | **Reports submitted by States parties to the Covenant: initial to fourth periodic reports of San Marino** |
| **E/C.12/BEL/3** | **Reports submitted by States parties to the Covenant: third periodic report of Belgium** |
| **E/C.12/PRY/3** | **Reports submitted by States parties to the Covenant: third periodic report of Paraguay** |
| **HRI/CORE/1/Add.104** | Core document forming part of the reports of States parties: Costa Rica |
| **HRI/CORE/1/Add.63/Rev.1** | Core document forming part of the reports of States parties: Ukraine |
| **HRI/CORE/1/Add.119** | Core document forming part of the reports of States parties: San Marino |
| **HRI/CORE/1/Add.1/Rev.1** | Core document forming part of the reports of States parties: Belgium |
| **HRI/CORE/1/Add.24** | Core document forming part of the reports of States parties: Paraguay |
| **E/C.12/CRI/Q/4** | **List of issues to be taken up in connection with the consideration of the second to fourth periodic reports of Costa Rica** |

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| E/C.12/UKR/Q/5 | List of issues to be taken up in connection with the consideration of the fifth periodic report of Ukraine |
| E/C.12/SMR/Q/4 | List of issues to be taken up in connection with the consideration of the initial to fourth periodic reports of San Marino |
| E/C.12/BEL/Q/3 | List of issues to be taken up in connection with the consideration of the third periodic report of Belgium |
| E/C.12/PRY/Q/3 | List of issues to be taken up in connection with the consideration of the third periodic report of Paraguay |
| E/C.12/CRI/Q/4/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the second to fourth periodic reports of Costa Rica |
| E/C.12/UKR/Q/5/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the fifth periodic report of Ukraine |
| E/C.12/SMR/Q/4/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the initial to fourth periodic reports of San Marino |
| E/C.12/BEL/Q/3/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the third periodic report of Belgium |
| E/C.12/PRY/Q/3/Add.1 | Replies to the list of issues to be taken up in connection with the consideration of the third periodic report of Paraguay |

## Previous concluding observations of the human rights treaty monitoring bodies on Costa Rica

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| E/C.12/1990/8, paras. 159-195 | Concluding observations of the Committee on Economic, Social and Cultural Rights |
| CCPR/C/79/Add.107 | Concluding observations of the Human Rights Committee |
| A/58/38, paras. 31-75 | Concluding observations of the Committee on the Elimination of Discrimination against Women |
| CERD/C/CRI/CO/18 | Concluding observations of the Committee on the Elimination of Racial Discrimination |

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| A/56/44, paras. 130-136 | Concluding observations of the Committee against Torture |
| CRC/C/15/Add.266 | Concluding observations of the Committee on the Rights of the Child |
| CRC/C/OPSC/CRI/CO/1 | Concluding observations of the Committee on the Rights of the Child |
| CRC/C/OPAC/CRI/CO/1 | Concluding observations of the Committee on the Rights of the Child |

**Previous concluding observations of the human rights treaty monitoring bodies on Ukraine**

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| E/C.12/1/Add.65 | Concluding observations of the Committee on Economic, Social and Cultural Rights |
| CCPR/C/UKR/6 | Concluding observations of the Human Rights Committee |
| A/57/38, paras. 262-301 | Concluding observations of the Committee on the Elimination of Discrimination against Women |
| CERD/C/UKR/CO/18 | Concluding observations of the Committee on the Elimination of Racial Discrimination |
| CAT/C/UKR/CO/5 | Concluding observations of the Committee against Torture |
| CRC/C/15/Add.191 | Concluding observations of the Committee on the Rights of the Child |
| CRC/C/OPSC/UKR/CO/1 | Concluding observations of the Committee on the Rights of the Child |

**Previous concluding observations of the human rights treaty monitoring bodies on San Marino**

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| CRC/C/15/Add.214 | Concluding observations of the Committee on the Rights of the Child |

**Previous concluding observations of the human rights treaty monitoring bodies on Belgium**

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| E/C.12/1/Add.54 | Concluding observations of the Committee on Economic, Social and Cultural Rights |
| CCPR/CO/81/BEL | Concluding observations of the Human Rights Committee |
| A/57/38, paras. 119-170 | Concluding observations of the Committee on the Elimination of Discrimination against Women |
| CERD/C/60/CO/2 | Concluding observations of the Committee on the Elimination of Racial Discrimination |
| CAT/C/CR/30/6 | Concluding observations of the Committee against Torture |
| CRC/C/15/Add.178 | Concluding observations of the Committee on the Rights of the Child |
| CRC/C/OPAC/BEL/CO/1 | Concluding observations of the Committee on the Rights of the Child |

**Previous concluding observations of the human rights treaty monitoring bodies on Paraguay**

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| E/C.12/1/Add.1 | Concluding observations of the Committee on Economic, Social and Cultural Rights |
| CCPR/C/PRY/CO/2 | Concluding observations of the Human Rights Committee |
| A/60/38, paras. 266-297 | Concluding observations of the Committee on the Elimination of Discrimination against Women |
| A/55/44, paras. 146-151 | Concluding observations of the Committee against Torture |
| CRC/C/15/Add.166 | Concluding observations of the Committee on the Rights of the Child |

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